

*These notes relate to the Adoption and Children (Scotland) Act 2007 (asp 4) which received Royal Assent on 15 January 2007*

# **ADOPTION AND CHILDREN (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Chapter 6**

#### ***Adoptions With a Foreign Element***

#### ***Section 69 - Section 68: supplementary provision***

251. By virtue of this subsection, any application for an order under section 68 or a decision made under subsection (2)(b) of that section is to be made as prescribed by regulations made by the Scottish Ministers and within such a period as prescribed.
252. By virtue of subsection (2), no application is to be made under section 68 of the Act unless immediately before the application is made the person adopted was habitually resident in Scotland or the persons on whose application the adoption order was made were habitually resident in Scotland.
253. By virtue of subsection (3), in deciding in pursuance of section 68 whether or not an authority as mentioned in section 70 of the Act was competent to hear a particular case, a court is to be bound by any finding of fact made by the authority and stated by the authority to be so made for the purpose of determining whether the authority was competent to hear the case.