

*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 61 - Regulations under section 58: offences***

226. Subsection (1) makes it an offence for any person to bring, or cause another to bring, a child into the United Kingdom in circumstances where section 58 of the Act applies if the person has not applied to an adoption agency to have his or her suitability assessed or has failed to provide the agency with any information it may require all in terms of section 58(5) or if the person has not met any condition prescribed by regulations made under subsection (6) of that section.
227. Subsection (2) specifies the maximum penalty applicable to a person who has committed an offence under subsection (1). On summary conviction this is 6 months imprisonment or a fine up to the statutory maximum or both and on conviction on indictment imprisonment for a term not exceeding 12 months or a fine or both.