

*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 7**

#### ***Miscellaneous***

#### ***Section 72 - Prohibition of certain payments***

263. Any person who makes any payment in relation to the adoption of a child, the giving of consent required in connection with the adoption of a child, the transfer of the care of a child with a view to his or her adoption, or the making of any arrangements for the adoption of that child commits an offence. By virtue of subsection (2), this section also applies to anyone who agrees or offers to make such a payment, receives or agrees to receive any such payment or attempts to obtain such a payment.
264. By virtue of subsection (3) a person who commits an offence under this section is liable to imprisonment for a term not exceeding three months or to a fine not exceeding level 5 on the standard scale, or both.
265. By virtue of subsection (4), where a person has committed an offence under this provision the court can order that the child be removed to a place of safety (within the meaning of section 93(1) of the 1995 Act) until the child can be returned to his or her parent or guardian, or other arrangements can be made for the child.
266. By virtue of subsection (5), references to “payment” in this section include reward.