

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2

Permanence Orders

Section 88 - Effect of order on existing orders

311. **Section 88** provides that, where a person has parental responsibilities or parental rights in relation to a child through the making of an existing permanence order or an order under section 11 of the 1995 Act (court orders relating to parental responsibilities etc) then, on the making of a new permanence order, these responsibilities and rights are lost and the earlier order is revoked. Under subsection (3), a court must ensure that any parental responsibilities and parental rights which were vested in a person by virtue of the earlier order are vested in a person by virtue of the new permanence order thereby preventing any parental responsibilities or parental rights from being unallocated and leaving the child without protection.