



# Adoption and Children (Scotland) Act 2007

2007 asp 4

## PART 1

### ADOPTION

#### CHAPTER 2

##### THE ADOPTION PROCESS

###### *Adoption records*

### 37 Information to be kept about adoptions

The Scottish Ministers may make regulations for or in connection with specifying—

- (a) the information which an adoption agency must keep in relation to adoptions, and
- (b) the form and manner in which it must keep the information.

#### Commencement Information

- II [S. 37](#) in force at 20.4.2009 for specified purposes by [S.S.I. 2009/147](#), [art. 2](#), [Sch.](#)

### 38 Disclosure of information kept under relevant enactment

- (1) The Scottish Ministers may by regulations make provision for or in connection with the disclosure by adoption agencies to adopted persons and other persons of a description or descriptions specified in the regulations of information kept by virtue of a relevant enactment.
- (2) Regulations under subsection (1) may in particular include provision—

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**Status:** Point in time view as at 20/04/2009.

**Changes to legislation:** Adoption and Children (Scotland) Act 2007, Cross Heading: Adoption records is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (a) in circumstances specified in the regulations, conferring discretion on adoption agencies as to whether to disclose or withhold information,
  - (b) specifying conditions which are to apply in relation to the disclosure of information, or information of a type so specified, to adopted persons of a description or descriptions so specified,
  - (c) specifying circumstances in which information should not be disclosed to adopted persons of a description or descriptions so specified,
  - (d) about the review of decisions of adoption agencies in connection with—
    - (i) the disclosure of information,
    - (ii) the conditions applicable to such disclosure.
- (3) In this section, “relevant enactment” means—
- (a) section 37, or
  - (b) any other enactment (whether or not in force) which imposes a requirement (however expressed) to keep records relating to adoptions.

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**Commencement Information**

**I2** S. 38 in force at 20.4.2009 for specified purposes by S.S.I. 2009/147, art. 2, Sch.

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