



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 2

PERMANENCE ORDERS

Effect of order

87 Effect of order on existing parental right

The making of a permanence order extinguishes the parental right mentioned in subsection (1)(a) of section 2 of the 1995 Act of—

- (a) a parent of the child in respect of whom the order is made,
- (b) a guardian of such a child,

which, immediately before the making of the order, vested in the parent or, as the case may be, guardian.

88 Effect of order on existing orders

(1) This section applies where—

- (a) parental responsibilities or parental rights in relation to a child vest in a person by virtue of—
 - (i) a permanence order, or
 - (ii) an order under section 11 of the 1995 Act (court orders relating to parental responsibilities etc.), (“the existing order”), and
- (b) the appropriate court intends to make a permanence order (“the new order”) as respects the child.

(2) On the making of the new order, the existing order is revoked.

(3) In making the new order, the court must secure that the parental responsibilities or parental rights vesting by virtue of the existing order vest in a person under the new order.