



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 1

THE ADOPTION SERVICE

Adoption support services

12 Power to provide payment to person entitled to adoption support service

- (1) Subsection (2) applies where a local authority—
 - (a) has, in respect of a person, an obligation to provide, or secure the provision of, an adoption support service under this Part, or
 - (b) has a power so to provide and determines it should provide.
- (2) Subject to subsection (4), the authority may, after having regard to the matters mentioned in subsection (3), provide the person with a payment instead of the service.
- (3) Those matters are—
 - (a) the person's eligibility for assistance from any other body,
 - (b) where the person is so eligible, the availability to the person of that assistance at the time when the service might have been provided to the person by the authority,
 - (c) the ability of the authority to provide, or secure the provision of, the service, and
 - (d) the person's need for the service.
- (4) A payment under subsection (2) may be made subject to such conditions (including conditions as to repayment) as the authority considers reasonable.

Status: This is the original version (as it was originally enacted).

- (5) In imposing conditions under subsection (4), the authority must have regard to the person's eligibility for assistance from any other body.