



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 2

THE ADOPTION PROCESS

Pre-adoption requirements

15 Child to live with adopters before adoption order made

- (1) Where—
 - (a) subsection (2) applies, an adoption order may not be made in relation to a child unless the conditions in subsection (3) are met,
 - (b) subsection (2) does not apply, an adoption order may not be made in relation to the child unless the condition in subsection (4) is met.
- (2) This subsection applies if—
 - (a) the person applying for the adoption order (the “applicant”), or one of the applicants, is a parent, step-parent or relative of the child, or
 - (b) the child was placed with the applicant, or applicants, by an adoption agency.
- (3) The conditions are—
 - (a) that the child is at least 19 weeks old, and
 - (b) that at all times during the period of 13 weeks immediately preceding the making of the order the child’s home was with the applicants.
- (4) The condition is that at all times during the period of 12 months immediately preceding the making of the order the child’s home was with the applicants.
- (5) In relation to—

Status: This is the original version (as it was originally enacted).

- (a) an adoption proposed to be effected by a Convention adoption order, or
- (b) an adoption of a child habitually resident outwith the British Islands which is proposed to be effected by an adoption order other than a Convention adoption order,

subsection (3)(b) has effect as if the reference to a period of 13 weeks were a reference to a period of 6 months.