



# Adoption and Children (Scotland) Act 2007

2007 asp 4

## PART 1

### ADOPTION

#### CHAPTER 1

##### THE ADOPTION SERVICE

###### *The adoption service*

#### **4 Local authority plans**

- (1) Before the expiry of such period as the Scottish Ministers may direct, each local authority must prepare and publish a plan for the provision of the adoption service which it is required by section 1(1) to continue to provide, or to provide, in its area.
- (2) Each local authority—
  - (a) must from time to time review the plan published by it under subsection (1), and
  - (b) may, having regard to any such review, prepare and publish—
    - (i) modifications of the plan, or
    - (ii) a plan in substitution for the plan.
- (3) In preparing a plan, or carrying out a review, under this section a local authority must consult—
  - (a) each Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978 (c. 29) which provides services under that Act in the area of the local authority,
  - (b) such voluntary organisations as appear to the authority to represent the interests of persons who use, or are likely to use, the adoption service in that area,

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*Status: This is the original version (as it was originally enacted).*

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- (c) such voluntary organisations as appear to the authority to provide services in that area which, were they to be provided by the authority, might be an adoption service, and
  - (d) such other persons as may be prescribed by regulations made by the Scottish Ministers.
- (4) A local authority may incorporate a plan published under subsection (1) in any plan published by the authority under section 19(1) of the 1995 Act (local authority plans for services for children).
- (5) Where a local authority incorporates a plan as mentioned in subsection (4), it need not separately publish a plan under subsection (1).
- (6) Subsections (2) and (5) apply to a plan modified or substituted under subsection (2) as they apply to a plan published under subsection (1).
- (7) The Scottish Ministers may give a local authority directions as to the carrying out of its functions under subsection (2).
- (8) The Scottish Ministers may vary or revoke any direction given under subsection (7).