



# Adoption and Children (Scotland) Act 2007

2007 asp 4

## PART 1

### ADOPTION

#### CHAPTER 1

##### THE ADOPTION SERVICE

###### *The adoption service*

### **6 Assistance in carrying out functions under sections 1 and 4**

- (1) Where it appears to a local authority that an appropriate person could assist the authority in carrying out any of its functions under section 1 or 4, it may require the person to assist the authority in the way specified in the requirement.
- (2) An appropriate person need not comply with a requirement made by virtue of subsection (1) if—
  - (a) it would not be reasonably practicable to do so,
  - (b) doing so would be incompatible with the person's functions (whether statutory or otherwise), or
  - (c) where the person is not a natural person, doing so would unduly prejudice the carrying out of such functions.
- (3) For the purposes of this section, a person is "appropriate" if the person is—
  - (a) another local authority,
  - (b) a Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978 (c. 29),
  - (c) such other person as may be prescribed by regulations made by the Scottish Ministers.