

*These notes relate to the Adoption and Children (Scotland) Act 2007 (asp 4) which received Royal Assent on 15 January 2007*

# **ADOPTION AND CHILDREN (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Chapter 2**

#### ***The Adoption Process***

#### ***Section 24 - Return of child removed in breach of certain provisions***

91. By virtue of subsection (1), a person who has removed a child in breach of the provisions listed in subsection (4) can, on application by the person from whom the child was removed, be ordered by the court to return the child.
92. Under subsection (2), a court can order a person not to remove a child from another's home. This can be done when the court receives an application from a person who has reasonable grounds to believe that another person intends to remove a child in breach of the provisions listed in subsection (4).
93. The provisions set out in subsection (4) are sections 20, 21, 22 and 23 of the Act, sections 30 (general prohibitions on removal), 34 (placement orders: prohibition on removal), 35 (return of child in other cases) and 36 (restrictions on removal) of the Adoption and Children Act 2002 and Articles 28 (restriction on removal where adoption agreed or application made) and 29 (restrictions on removal where applicant has provided home for 5 years) of the [Adoption \(Northern Ireland\) Order 1987 \(S.I. 1987/2203\)](#).