



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 4

ADOPTION SUPPORT PLANS

Reassessment

49 Reassessment of needs for adoption support services

- (1) This section applies where an adoption support plan is in force.
- (2) Any relevant member aged 12 or over may require the local authority which prepared the plan to make a reassessment of the member's needs for adoption support services.
- (3) The authority, having regard to the results of that reassessment, must decide whether the needs of the member call for the provision of such services.
- (4) Where the authority decides, by virtue of subsection (3), that the provision of adoption support services is called for, the authority must provide the services.
- (5) Where the authority provides adoption support services under subsection (4), it must vary the adoption support plan to reflect any changes in the services the authority will provide.
- (6) A relevant member (other than the person or persons with whom the child has been placed for adoption or the person who has, or persons who have, adopted the child) may not require a reassessment to be made under subsection (2) unless, in the opinion of the local authority, the member is capable of understanding the need for adoption support services.
- (7) Where a local authority is making a reassessment of needs under this section, it must—

Changes to legislation: Adoption and Children (Scotland) Act 2007, Section 49 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) do so in such manner as may be prescribed by regulations made by the Scottish Ministers, and
 - (b) have regard to such matters as may be so prescribed.
- (8) In this section—
- (a) any references to a reassessment of needs of a person are to be construed in accordance with subsection (6) of section 47,
 - (b) “relevant member” has the same meaning as in that section.

Commencement Information

- I1** S. 49(1)-(6) (8) in force at 28.9.2009 by [S.S.I. 2009/267](#), [arts. 1\(2\), 2](#) (with [arts. 3-21](#)) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2)
- I2** S. 49(7) in force at 20.4.2009 for specified purposes by [S.S.I. 2009/147](#), [art. 2](#), [Sch.](#)
- I3** S. 49(7) in force at 28.9.2009 in so far as not already in force by [S.S.I. 2009/267](#), [arts. 1\(2\), 2](#) (with [arts. 3-21](#)) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2)

Changes to legislation:

Adoption and Children (Scotland) Act 2007, Section 49 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3A) inserted by [2020 asp 16 s. 30\(5\)](#)
- s. 14(4A)-(4C) inserted by [2020 asp 16 s. 2\(2\)\(c\)](#)
- s. 84(5A)(5B) inserted by [2020 asp 16 s. 2\(3\)\(c\)](#)