

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2009 No. 154**

**The Adoption Agencies (Scotland) Regulations 2009**

**PART IV**

**DUTIES OF ADOPTION AGENCIES WHEN  
CONSIDERING ADOPTION FOR A CHILD**

**Duties of adoption agencies: placing the child for adoption**

**18.**—(1) An adoption agency must not place or secure the placing of a child with any prospective adopter unless the adoption agency—

- (a) is satisfied that the placement is in the best interests of the child;
- (b) is satisfied that placement of the child with the prospective adopter is in the best interests of the child;
- (c) has, so far as is reasonably practicable, obtained the information in Schedule 1;
- (d) has, so far as is reasonably practicable, obtained a report prepared within the previous 12 months by a registered medical practitioner as to the health of the child;
- (e) has obtained a report prepared within the previous 12 months by a registered medical practitioner as to the health of each prospective adopter;
- (f) has (or has had) the prospective adopter interviewed;
- (g) is satisfied that the premises within which the prospective adopter intends that the child shall reside are suitable for the needs of the child;
- (h) has made inquiries and has in particular inquired of every relevant local authority to satisfy itself that it would not be detrimental to the welfare of the child—
  - (i) for the child to reside with the prospective adopter in the premises proposed for the child's home; and
  - (ii) for the proposed adoption to proceed;
- (i) has prepared a report with its observations on the matters referred to in sub paragraphs (a) to (h) and has passed that report and all information obtained by it by virtue of this regulation to the adoption panel or to another adoption agency;

(2) Subject to paragraph (3) in addition to securing the report referred to in paragraph (1)(d), that adoption agency must ensure that arrangements are made for such medical investigations and tests as are considered necessary to be carried out in respect of the child and obtain from a registered medical practitioner a report based on those investigations and tests.

(3) Paragraph (2) does not apply where such investigations and tests have already been carried out in respect of the child and a report on their findings has been made available to the agency.

(4) Wherever practicable any report prepared in accordance with paragraph (2) shall be included in the report obtained by the adoption agency under paragraph (1)(d).

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(5) In order to satisfy itself as to the matter referred to in paragraph (1)(g) the adoption agency must arrange for the premises to be visited on its behalf.

(6) In paragraph (1)(h) a “relevant local authority” is the local authority for the area in which—

- (i) the child is resident;
- (ii) the prospective adopter is resident;
- (iii) the premises referred to in that paragraph are situated.