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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 182**

The Adoptions with a Foreign  
Element (Scotland) Regulations 2009

PART 3

ADOPTIONS UNDER THE CONVENTION

CHAPTER 2

PROCEDURE IN SCOTLAND WHERE THE  
UNITED KINGDOM IS THE STATE OF ORIGIN

**Preparation of the Article 16 Report**

**48.**—(1) If the adoption agency decides that the proposed adoption should proceed, it must prepare a report for the purposes of Article 16 of the Convention (the “Article 16 Report”) which must include—

- (a) the information about the child specified in Part II of Schedule 1 to the Adoption Agencies Regulations; and
- (b) the reasons for the agency’s decision.

(2) Where a permanence order including provision granting authority for the child to be adopted is made the adoption agency must, within 14 days of the order being made, send to the Central Authority—

- (a) the Article 16 Report;
- (b) details of the permanence order; and
- (c) where known, details of any other orders made by the courts in relation to the child.

(3) The Central Authority must then send to the CA of the receiving State—

- (a) the Article 16 Report; and
- (b) the other information sent to it by virtue of paragraph (2).

(4) Where a court does not grant an application for a permanence order as mentioned in paragraph (2) the adoption agency must, within 14 days of the decision of the court, notify the Central Authority of the decision.