

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

The Adoption (Scotland) Act 1978 (c. 28)

- 18 (1) In section 18(7) (freeing child for adoption) for the words " an illegitimate child whose father is not its guardian " there shall be substituted " a child whose father is not married to the mother and who does not have any parental right in relation to the child " and for paragraphs (a) and (b) there shall be substituted the following paragraphs—
- “(a) he has no intention of applying for any parental right under section 3 of the Law Reform (Parent and Child) (Scotland) Act 1986, or
 - (b) if he did apply for any parental right under that section the application would be likely to be refused.”
- (2) In section 39(2) (status conferred by adoption), for the words " an illegitimate " there shall be substituted " a " .
- (3) In section 46(1) (revocation of adoptions on legitimation), for the words " an illegitimate " there shall be substituted " a " .
- (4) In section 65(1) (interpretation), in the definition of " guardian ", in paragraph (b), for the words from " an illegitimate " to the end there shall be substituted the words " a child whose father is not married to the mother, includes the father where he has, in relation to the child, tutory, curatory, custody, access or any other parental right by virtue of an order by a court of competent jurisdiction. "