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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 121 (C. 6)**

**CHILDREN AND YOUNG PERSONS**

**The Adoption (Intercountry Aspects) Act 1999  
(Commencement No. 10) (Scotland) Order 2003**

*Made - - - - 27th February 2003*

The Scottish Ministers, in exercise of the powers conferred by section 18(3) of the Adoption (Intercountry Aspects) Act 1999(1), hereby make the following Order:

**Citation, interpretation and extent**

1.—(1) This Order may be cited as the Adoption (Intercountry Aspects) Act 1999 (Commencement No. 10) (Scotland) Order 2003.

(2) In this Order “the 1978 Act” means the Adoption (Scotland) Act 1978(2).

(3) This Order extends to Scotland only.

**Appointed day**

2. 1st June 2003 is the day appointed for the coming into force of the following provisions of the Adoption (Intercountry Aspects) Act 1999:—

- (a) section 2(1), (2), (3), (4) and (6) (Central Authorities and accredited bodies) insofar as it relates to Scotland;
- (b) section 3 (Convention adoption orders) insofar as it amends the 1978 Act;
- (c) section 5 (effect of Convention adoptions in Scotland);
- (d) section 6 (Annulment of Convention adoptions etc.) insofar as it amends the 1978 Act;
- (e) section 8 (meaning of “Convention adoption” and related expressions) insofar as it amends the 1978 Act;
- (f) section 11 (six month residence requirement for certain intercountry adoptions) insofar as it amends the 1978 Act;
- (g) section 15 (amendments and repeals) insofar as it relates to Schedule 2 and the repeals of the 1978 Act in Schedule 3;

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(1) 1999 c. 18. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46) and section 16 of the Adoption (Intercountry Aspects) Act 1999.

(2) 1978 c. 28.

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- (h) Schedule 1 insofar as it relates to Scotland;
- (i) Schedule 2, paragraph 4;
- (j) Schedule 3 insofar as it amends the 1978 Act; and
- (k) section 17 (Savings for adoptions etc. under 1965 Convention) insofar as it relates to the 1978 Act.

St Andrews House, Edinburgh  
27th February 2003

*CATHY JAMIESON*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st June 2003 insofar as they apply to Scotland and the Adoption (Scotland) Act 1978, further provisions in the Adoption (Intercountry Aspects) Act 1999 (the “1999 Act”). This Order enables full effect to be given to the 1993 Hague Convention on Protection of Children and Co-Operation in Respect of Intercountry Adoptions which was concluded at the Hague on 29th May 1993.

It is the intention that the UK will ratify the Convention on 1st June 2003.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order:—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I./S.S.I. No.</i>
Section 1 and Schedule 1 as to England and Wales	23rd January 2003	2003/189
Section 1 as to Scotland	14th January 2003	2002/562
Section 2(1) as to England and Wales	1st June 2003	2003/189
Section 2(4) as to England and Wales	1st June 2003	2003/189
Section 3 (partially) as to England and Wales	23rd January 2003	2003/189
Section 3 (fully) as to England and Wales	1st June 2003	2003/189
Section 4 as to England and Wales	1st June 2003	2003/189
Section 6 as to England and Wales	1st June 2003	2003/189
Section 7 and Schedule 2, paragraph 2	1st June 2003	2003/362
Section 8 (partially) as to England and Wales	23rd January 2003	2003/189
Section 8 (fully) as to England and Wales	1st June 2003	2003/189
Section 9 as to England and Wales	30th April 2001	2001/1279
Section 9 as to Scotland	14th June 2001	2001/235

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I./S.S.I. No.</i>
Section 12 as to Scotland	14th January 2003	<a href="#">2002/562</a>
Section 12 (partially) as to England and Wales	23rd January 2003	<a href="#">2003/189</a>
Section 12 (fully) as to England and Wales	1st June 2003	<a href="#">2003/189</a>
Section 13 as to England and Wales	31st January 2000	<a href="#">2000/52</a>
Section 13 (partially) as to Scotland	10th November 2000	<a href="#">2000/390</a>
Section 14 as to England and Wales	30th April 2001	<a href="#">2001/1279</a>
Section 14 as to Scotland	14th June 2001	<a href="#">2001/235</a>
Section 16(1)	23rd January 2003	<a href="#">2003/189</a>
Section 16(2)	16th October 2000	<a href="#">2000/2821</a>
Section 17 as to England and Wales	1st June 2003	<a href="#">2003/189</a>