

SCHEDULE 3 MINOR AND CONSEQUENTIAL AMENDMENTS

Adoption (Scotland) Act 1978 (c. 28)

- 7 (1) The Adoption (Scotland) Act 1978 is amended as follows.
- (2) In section 1 (establishment of adoption service)—
- (a) in each of subsections (1) and (3), for the words “approved adoption societies” there is substituted “registered adoption services”;
 - (b) in subsection (4), for the words “approved adoption society” there is substituted “registered adoption service”; and
 - (c) after that subsection, there is inserted—

“(5) In this Act, “registered adoption service” means an adoption service provided as mentioned in section 2(11)(b) of the Regulation of Care (Scotland) Act 2001 (asp 8) and registered under Part 1 of that Act.”
- (3) Sections 2(f) (local authorities' social service functions), 3 (approval of adoption societies), 4 (withdrawal of approval) and 5 (procedure on refusal to approve, or withdrawal of approval from, adoption societies) are repealed.
- (4) In section 9 (regulation of adoption agencies)—
- (a) subsection (1) is repealed;
 - (b) in subsection (2)—
 - (i) for the words “an approved adoption society” there is substituted “a registered adoption service”; and
 - (ii) the words from “including,” to the end are repealed; and
 - (c) in subsection (4), for the words “subsection (2)” there is substituted “this section”.
- (5) In section 11 (restriction on arranging adoptions and placing of children)—
- (a) in subsection (2), for the words “approved under section 3 of this Act” there is substituted “a registered adoption service”; and
 - (b) in subsection (3)(a), for the words “an approved adoption society” there is substituted “a registered adoption service”.
- (6) In section 22A(1) (children subject to supervision requirements), for the words “An approved adoption society” there is substituted “A registered adoption service”.
- (7) In section 30 (return of children placed for adoption by adoption agencies)—
- (a) in subsection (1)—
 - (i) for the words “an approved adoption society or” there is substituted “a registered adoption service, an appropriate voluntary organisation (as defined by section 1(5) of the Adoption Act 1976 (c. 36)) or a”; and
 - (ii) in each of paragraphs (a) and (b), for the word “society” there is substituted “service, organisation”;
 - (b) in subsection (3)—
 - (i) for the words “to an adoption society or local authority by any person, or by such a society or authority to any person, under subsection (1)” there is substituted “under subsection (1)(a) or (b)”;

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- (ii) for the words “such a society or authority” there is substituted “a registered adoption service, an appropriate voluntary organisation such as is mentioned in that subsection or a local authority”; and
 - (iii) for the words “the society” there is substituted “that service, organisation”; and
 - (c) in each of subsections (5) and (7), for the words “adoption society” there is substituted “service, organisation”.
- (8) In section 45 (adopted children register)—
- (a) in subsection (6)(d)—
 - (i) the words “an adoption society” are repealed;
 - (ii) for the words from the beginning of sub-paragraph (i) to the end of the subsection there is substituted—
 - “(i) a registered adoption service, from that service;
 - (ii) an appropriate voluntary organisation (as defined by section 1(5) of the Adoption Act 1976 (c. 36)), from that organisation; or
 - (iii) an adoption society registered under Article 4 of the Adoption (Northern Ireland) Order 1987, from that society.”;
 - (b) for paragraph (b) of subsection (6B) there is substituted—
 - “(b) any registered adoption service, or any voluntary organisation or adoption society mentioned in subsection (6)(d)(ii) or (iii) insofar as (by virtue of section 11(2) of this Act) that organisation or society is acting as an adoption society in Scotland.”; and
 - (c) in subsection (7)—
 - (i) for the words “a local authority, Board or adoption society falling within subsection (6)” there is substituted—
 - “(a) a local authority or Board; or
 - (b) a service, organisation or society mentioned in subsection (6)(d)”;
 - (ii) for the words “or adoption society”, where they occur for the second time, there is substituted “, service, organisation or society”; and
 - (iii) for the words “the authority, Board or society” there is substituted “them or it”.
- (9) In section 51A(1) (adoption allowances schemes), for paragraph (b) there is substituted—
- “(b) a registered adoption service.”.
- (10) In section 60(2) (statutory instrument procedure), the words “, except section 3(1),” are repealed.
- (11) In section 65(1) (interpretation)—
- (a) the definition of “approved adoption society” is repealed;
 - (b) in the definition of “place of safety”, for the words from “means” to the end there is substituted “has the meaning given by section 93(1) of the Children (Scotland) Act 1995 (c. 36)”;
 - (c) after the definition of “prescribed” there is inserted—

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““registered adoption service” has the meaning given by section 1(5) of this Act;”.