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*Status: Point in time view as at 28/09/2009.*

*Changes to legislation: Adoption and Children (Scotland) Act 2007, Cross Heading: Amendment of orders and rectification of registers is up to date with all changes known to be in force on or before 18 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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## SCHEDULE 1 REGISTRATION OF ADOPTIONS

### *Amendment of orders and rectification of registers*

- 7 (1) The court by which an adoption order has been made may, on the application of the adopter or the adopted person, amend the order by the correction of any error in the particulars contained in it.
- (2) The court by which an adoption order has been made may, if satisfied on the application of the adopter or the adopted person that before the expiry of the period of one year beginning with the date of the order any new name—
- (a) has been given to the adopted person (whether in baptism or otherwise), or
  - (b) has been taken by the adopted person,
- in place of or in addition to a name specified in the particulars required to be entered in the Adopted Children Register in pursuance of the order, amend the order by substituting or, as the case may be, adding that name in those particulars.
- (3) The court by which an adoption order has been made may, if satisfied on the application of any person concerned that a direction for the marking of an entry in the register of births or the Adopted Children Register included in the order in pursuance of paragraph 2 or 3 was wrongly so included, revoke that direction.
- (4) Where an adoption order is amended or a direction revoked under sub-paragraphs (1) to (3), the clerk of the court must secure that the amendment is communicated in the prescribed manner to the Registrar General.
- (5) As soon as is reasonably practicable after receipt of the communication, the Registrar General must secure that—
- (a) the entry in the Adopted Children Register is amended accordingly, or
  - (b) the marking of the entry in the register of births or the Adopted Children Register is cancelled,
- as the case may be.
- (6) Where an adoption order is quashed or an appeal against an adoption order allowed by any court, the court must give directions to the Registrar General to secure that—
- (a) any entry in the Adopted Children Register, and
  - (b) any marking of an entry in that register or, as the case may be, the register of births,
- which was effected in pursuance of the order is cancelled.
- (7) Where an adoption order has been amended, any extract of the relevant entry in the Adopted Children Register which may be issued in pursuance of section 54 must be a copy of the entry as amended, without the reproduction of—
- (a) any note or marking relating to the amendment, or
  - (b) any matter cancelled in pursuance of it.
- (8) Where the marking of an entry is cancelled, an extract of the entry is not to be treated as accurate unless both the marking and the cancellation are omitted from it.
- (9) If the Registrar General is satisfied—

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- (a) that a registrable foreign adoption (as defined in sub-paragraph (5) of paragraph 6) has ceased to have effect (whether on annulment or otherwise), or
- (b) that any entry or mark was erroneously made in pursuance of that paragraph in the Adopted Children Register or the register of births,

the Registrar General may secure that such alterations are made in those registers as the Registrar General considers are required in consequence of the adoption ceasing to have effect or to correct the error.

- (10) Where an entry in such a register is amended in pursuance of sub-paragraph (9), an extract of the entry is not to be treated as accurate unless it shows the entry as amended but without indicating that it has been amended.
- (11) In this paragraph, “prescribed” means prescribed by regulations made by the Registrar General with the approval of the Scottish Ministers.

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**Commencement Information**

- I1** Sch. 1 para. 7(1)-(3)(5)-(10) in force at 28.9.2009 by [S.S.I. 2009/267](#), [arts. 1\(2\)](#), 2 (with [arts. 3-21](#)) (as amended (7.5.2012) by [S.S.I. 2012/99](#), [art. 2](#))
- I2** Sch. 1 para. 7(4)(11) in force at 20.4.2009 for specified purposes by [S.S.I. 2009/147](#), [art. 2](#), [Sch.](#)
- I3** Sch. 1 para. 7(4)(11) in force at 28.9.2009 in so far as not already in force by [S.S.I. 2009/267](#), [arts. 1\(2\)](#), 2 (with [arts. 3-21](#)) (as amended (7.5.2012) by [S.S.I. 2012/99](#), [art. 2](#))

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