



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 5

REGISTRATION

55 Connections between the register and birth records

- (1) The Registrar General must make traceable the connection between any entry in the register of births which, by virtue of paragraph 2(2) of schedule 1 or any enactment at the time in force, has been marked “Adopted” and any corresponding entry in the Adopted Children Register.
- (2) Information kept by the Registrar General for the purposes of subsection (1) is not to be open to public inspection or search.
- (3) The Registrar General may disclose any such information only in accordance with subsection (4).
- (4) Information is disclosed in accordance with this subsection if disclosed—
 - (a) under an order of the Court of Session or a sheriff,
 - (b) to an adopted person who is aged 16 or over and to whom the information relates, or
 - (c) to a local authority, [F¹HSC trust], registered adoption society or relevant adoption society which is providing counselling for any such adopted person.
- (5) Where the Registrar General discloses information in accordance with subsection (4)
 - (b), the Registrar must inform the adopted person that counselling services are available for the person—
 - (a) if the person is in Scotland, from any local authority in Scotland,

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- (b) if the person is in England and Wales, from any local authority in England and Wales,
 - (c) if the person is in Northern Ireland, from any [^{F2}HSC trust],
 - (d) if the person is in the United Kingdom and the person's adoption was arranged by—
 - (i) a registered adoption service, from that service,
 - (ii) a registered adoption society, from that society, or
 - (iii) a relevant adoption society, from that society.
- (6) Where—
- (a) in accordance with subsection (4) information is disclosed to an adopted person who is in Scotland, or
 - (b) such a person applies for information under—
 - (i) Schedule 2 to the 2002 Act, or
 - (ii) Article 54 of the Northern Ireland Order,
 any body mentioned in subsection (7) from which the adopted person requests counselling must provide counselling for the person.
- (7) Those bodies are—
- (a) any local authority in Scotland,
 - (b) any registered adoption service, or
 - (c) any registered adoption society or relevant adoption society in so far as (by virtue of section 76(2)) that society is acting as an adoption society in Scotland.
- (8) In this section—
- [^{F3}“HSC trust” means a Health and Social Care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)),]
- “local authority”, in relation to England and Wales, means—
- (a) any unitary authority, or
 - (b) any county council so far as it is not a unitary authority,
- “relevant adoption society” means an adoption society registered under Article 4 of the Northern Ireland Order.

Textual Amendments

- F1** Words in s. 55(4)(c) substituted (30.11.2022) by [The Health and Social Care Act \(Northern Ireland\) 2022 \(Consequential Amendments\) Order 2022 \(S.I. 2022/1174\)](#), arts. 1(2), **27(a)**
- F2** Words in s. 55(5)(c) substituted (30.11.2022) by [The Health and Social Care Act \(Northern Ireland\) 2022 \(Consequential Amendments\) Order 2022 \(S.I. 2022/1174\)](#), arts. 1(2), **27(b)**
- F3** Words in s. 55(8) substituted (30.11.2022) by [The Health and Social Care Act \(Northern Ireland\) 2022 \(Consequential Amendments\) Order 2022 \(S.I. 2022/1174\)](#), arts. 1(2), **27(c)**

Modifications etc. (not altering text)

- C1** Ss. 53-55 applied in part (with modifications) (28.9.2009) by [Adoptions with a Foreign Element \(Scotland\) Regulations 2009 \(S.S.I. 2009/182\)](#), regs. 1(1), **9(5)**
- C2** S. 55(1)-(5) applied (with modifications) (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\)](#), regs. 1(1), 4, **Sch. 3**

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Commencement Information

- II** S. 55 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)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3A) inserted by [2020 asp 16 s. 30\(5\)](#)
- s. 14(4A)-(4C) inserted by [2020 asp 16 s. 2\(2\)\(c\)](#)
- s. 84(5A)(5B) inserted by [2020 asp 16 s. 2\(3\)\(c\)](#)