Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 1

THE ADOPTION SERVICE

The adoption service

6   Assistance in carrying out functions under sections 1 and 4

(1) Where it appears to a local authority that an appropriate person could assist the authority in carrying out any of its functions under section 1 or 4, it may require the person to assist the authority in the way specified in the requirement.

(2) An appropriate person need not comply with a requirement made by virtue of subsection (1) if—

(a)   it would not be reasonably practicable to do so,

(b)   doing so would be incompatible with the person's functions (whether statutory or otherwise), or

(c)   where the person is not a natural person, doing so would unduly prejudice the carrying out of such functions.

(3) For the purposes of this section, a person is "appropriate" if the person is—

(a)   another local authority,

(b)   a Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978 (c. 29),

(c)   such other person as may be prescribed by regulations made by the Scottish Ministers.

2

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Part 1 – Adoption
Chapter 1 – The adoption service
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Commencement Information

I1   S. 6 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)

Status:
Point in time view as at 28/09/2009. This version of this provision has been superseded.

Changes to legislation:
Adoption and Children (Scotland) Act 2007, Section 6 is up to date with all changes known to be in force on or before 25 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.