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SCOTTISH STATUTORY INSTRUMENTS

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**2001 No. 236**

**The Adoption of Children from  
Overseas (Scotland) Regulations 2001**

**Duties of an adoption agency and adoption panel functions in respect of a prospective adopter**

- 4.—(1) This regulation applies to—
- (a) a local authority to which a prospective adopter has applied for assessment in accordance with regulation 3(2)(a); and
  - (b) an approved adoption society which has agreed to assess a prospective adopter who has applied to it in accordance with that regulation.
- (2) The adoption agency shall assess a prospective adopter in accordance with regulation 10 (duties of adoption agencies in assessing prospective adopters) of the 1996 Regulations.
- (3) An adoption panel to which the case of a prospective adopter is referred shall consider the case and make a recommendation to the referring adoption agency as to whether the prospective adopter is suitable to be an adoptive parent, in accordance with regulation 11 (adoption panel functions) of those Regulations.
- (4) The adoption agency shall—
- (a) make a decision as to the suitability of the prospective adopter to be an adoptive parent and notify them of its decision, in accordance with regulation 12 (adoption agency decisions and notifications) of the 1996 Regulations; and
  - (b) where the agency has decided to approve the prospective adopter as suitable to be an adoptive parent, notify the Scottish Ministers in writing of that decision and provide to them—
    - (i) all information considered by the adoption panel before making a recommendation to the agency as to whether the prospective adopter is suitable to be an adoptive parent; and
    - (ii) such other information relating to the prospective adopter's case as they may require.