

Status: Point in time view as at 01/02/1991.

Changes to legislation: Adoption (Scotland) Act 1978, SCHEDULE 3 is up to date with all changes known to be in force on or before 07 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)

SCHEDULES

SCHEDULE 3

Section 66.

CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C1** The text of s. 66(2)(3), Schs. 3, 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, save as indicated in Sch. 3, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Children Act 1958 (c. 65)

1—3. **F1**

Textual Amendments

- F1** Sch. 3 paras. 1–3 repealed by [Foster Children \(Scotland\) Act 1984 \(c. 56, SIF 20\)](#), ss. 22, 23, [Sch. 3](#)

4 In section 23 of the Succession (Scotland) Act 1964, in subsection (3), for the words from “section”: to “prevent”: there shall be substituted the words “ section or in the Children Act 1975 or in the Adoption (Scotland) Act 1978 shall prevent ” ; and in subsection (5), for the words from “means an order”: to the end of the subsection there shall be substituted the words “ has the same meaning as in section 38 of the Adoption (Scotland) Act 1978 (whether the order took effect before or after the commencement of this Act) ; and “adopted”: means adopted in pursuance of an adoption order ”.

5 In section 37(1) of the said Act of 1964, for the words from “nothing in this Act”: to “shall”: where that word first occurs there shall be substituted the words “ nothing in this Act or (as respects paragraph (a) of this subsection) in the Children Act 1975 or the Adoption (Scotland) Act 1978 shall ”.

Legitimation (Scotland Act 1968 (c. 22)

6 In section 6(2) of the Legitimation (Scotland) Act 1968, for the words from the beginning to “other shall”: there shall be substituted the words “ The revocation (under this section or otherwise) of any adoption order within the meaning of section 38 of the Adoption (Scotland) Act 1978 in consequence of the marriage of the parents of the adopted person to each other shall ”.

7 In section 6(3) of the said Act of 1968, for the words “section 26 of the Adoption Act 1958”: there shall be substituted the words “ section 46 of the Adoption (Scotland) Act 1978 ”.

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Social Work (Scotland) Act 1968 (c. 49)

8 In section 2(2) of the Social Work (Scotland) Act 1968, after paragraph (h) there shall be inserted the following paragraph—

“(j) the Adoption (Scotland) Act 1978.”.

9 In section 5(2)(c) of the said Act of 1968, for the words “and (h)”: there shall be substituted the words “(h) and (j) ”.

10 In section 6(1)(b) of the said Act of 1968—

(a) in head (ii), for the words “Part IV of the Adoption Act 1958”: there shall be substituted the words “ section 32 of the Adoption (Scotland) Act 1978 ” ;

(b) in head (iii), for the words “Children Act 1975”: there shall be substituted the words “ Adoption (Scotland) Act 1978 ”.

11 In section 10(1) of the said Act of 1968, for the words “and (h)”: there shall be substituted the words “(h) and (j) ”.

12 In section 10(3A) of the said Act of 1968, for the words “Children Act 1975”: there shall be substituted the words “ Adoption (Scotland) Act 1978 ”.

13 In section 16(3) and (11)(b) of the said Act of 1968, for the words from “section 14”: to “Act 1976”: there shall be substituted the words “section 18 or 55 of the Adoption Act 1976 or under section 18 or 49 of the Adoption (Scotland) Act 1978”.

14 In section 16(11)(a) of the said Act of 1968, for the words “Schedule 2 to the Children Act 1975”: there shall be substituted the words “section 38 of the Adoption (Scotland) Act 1978”.

15 In section 18(4A) of the said Act of 1968, for the words “section 8 of the Children Act 1975”:, “section 14 of the Children Act 1975”: and “section 25 of the Children Act 1975”: there shall be substituted respectively the words “section 12 of the Adoption (Scotland) Act 1978”:, “section 18 of the said Act of 1978”: and “section 49 of the said Act of 1978”.

Children Act 1975 (c. 72)

16 In section 47(5) of the Children Act 1975, for the words “1958 Act”: in both places where those words occur there shall be substituted the words “ Adoption (Scotland) Act 1978 ”.

17 In section 103(1)(a) of the said Act of 1975, for paragraph (i) there shall be substituted the following paragraph—

“(i) section 58 of the Adoption (Scotland) Act 1978 ;”.

18 In section 105 of the said Act of 1975, after the word “time” there shall be inserted the words “ (including such sections as have been repealed by and re-enacted in the Adoption (Scotland) Act 1978 ”.

19 In section 107(1) of the said Act of 1975, in the definition of “adoption society”: for the words “1958 Act”: there shall be substituted the words “ Adoption (Scotland) Act 1978 ”.

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