



# Foster Children (Scotland) Act 1984

## 1984 CHAPTER 56

### *Notification of fostering to local authorities*

#### **5 Notification by persons maintaining or proposing to maintain foster children.**

- (1) A person who proposes to maintain as a foster child a child not already in his care shall give written notice thereof to the local authority in whose area the premises in which the child is to be kept are situated, not less than two weeks before he receives the child, unless he receives him in an emergency.
- (2) A person who maintains a foster child—
  - (a) whom he received in an emergency, or
  - (b) who became a foster child while in his care,shall give written notice thereof to the local authority in whose area the premises in which the child is being kept are situated not later than one week after he receives the child or, as the case may be, after the child becomes a foster child.
- (3) A notice under subsection (1) or (2) shall specify the premises in which the child is to be or is being kept.
- (4) Where a person who is maintaining a foster child changes his permanent address or the premises in which the child is kept, he shall give written notice to the local authority—
  - (a) not less than two weeks before the change or
  - (b) if the change is made in an emergency, not later than one week after the change,specifying the new address or premises; and if the new premises are in the area of another local authority, or of a local authority in England or Wales, the authority to whom the notice is given shall inform that other authority and give them such of the particulars mentioned in subsection (5) as are known to them.
- (5) At the request of the local authority, a person maintaining or proposing to maintain a foster child shall give them, so far as known to him, the following particulars—
  - (a) the name, sex and date and place of birth of the child; and

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**Changes to legislation:** There are currently no known outstanding effects for the Foster Children (Scotland) Act 1984, Section 5. (See end of Document for details)

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- (b) the name and address of every person who is a parent or guardian or acts as a guardian of the child or from whom the child was or is to be received.
- (6) A person maintaining or proposing to maintain a foster child need not give a notice under subsection (1) or (2) if the child has within the last 3 months been maintained by him as a foster child but ceased to be a foster child while in his care or on removal from his care.
- (7) A local authority may exempt any person from the duty of giving notices under this section, and any such exemption may be granted as regards all or any such notices for a specified period, and may be revoked at any time by notice in writing served on that person.

**Changes to legislation:**

There are currently no known outstanding effects for the Foster Children (Scotland) Act 1984, Section 5.