



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 7

MISCELLANEOUS

Scotland, Northern Ireland and the Islands

105 Effect of certain Scottish orders and provisions

- (1) A Scottish adoption order or an order under section 25 of the Adoption (Scotland) Act 1978 (c. 28) (interim adoption orders) has effect in England and Wales as it has in Scotland, but as if references to the parental responsibilities and the parental rights in relation to a child were to parental responsibility for the child.
- (2) An order made under section 18 of the Adoption (Scotland) Act 1978 (freeing orders), and the revocation or variation of such an order under section 20 or 21 of that Act, have effect in England and Wales as they have effect in Scotland, but as if references to the parental responsibilities and the parental rights in relation to a child were to parental responsibility for the child.
- (3) Any person who—
 - (a) contravenes section 27(1) of that Act (removal where adoption agreed etc.), or
 - (b) contravenes section 28(1) or (2) of that Act (removal where applicant provided home),is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months, or a fine not exceeding level 5 on the standard scale, or both.

Status: Point in time view as at 06/04/2010. This version of this provision has been superseded.

Changes to legislation: Adoption and Children Act 2002, Section 105 is up to date with all changes known to be in force on or before 06 June 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)

- (4) Orders made under section 29 of that Act (order to return or not to remove child) are to have effect in England and Wales as if they were orders of the High Court under section 41 of this Act.

Modifications etc. (not altering text)

- C1** S. 105(3)(4) applied (with modifications) (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\)](#), regs. 1(1), 2, **Sch. 1**

Commencement Information

- II** S. 105 in force at 30.12.2005 by [S.I. 2005/2213](#), **art. 2(j)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

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