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STATUTORY INSTRUMENTS

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**1996 No. 3266**

**The Adoption Agencies (Scotland) Regulations 1996**

**Information and certificate for parents on notification of adoption agency's decision**

**14.—(1)** The adoption agency shall, when notifying the parents or guardian of a child of the agency's decision under regulation 12 on a matter referred to in regulation 11(1)(a)—

- (a) shall provide each parent or guardian with a memorandum either—
  - (i) in the form set out in Schedule 4 where it is proposed to make arrangements for adoption of the child;
  - or—
  - (ii) in the form set out in Schedule 5 where it is proposed to make an application for a freeing order under section 18 of the Act;
- (b) shall take such steps as are reasonably practicable to ensure that each parent or guardian signs and returns to the agency a certificate in the form set out in Schedule 4 or 5 as the case may be, or a form to the like effect, certifying that he has read and understood that memorandum;
- (c) shall at the request of the parents or guardian provide them with the names and addresses of adoption agencies, if they are available, which might meet their wishes regarding the child's upbringing in a particular religious persuasion;
- (d) at the same time provide each parent or guardian with a certificate in the form set out in Schedule 6 or 7 as the case may be, certifying the agreement or otherwise of the parent or guardian with the proposal under paragraph (1)(a)(i) or, as the case may be, (ii); and
- (e) ensure, so far as reasonably practicable, that each parent or guardian completes and signs the certificate and returns it to the agency within 28 days.

(2) Where the identity of a parent as defined by section 15(1) of the 1995 Act but not having parental responsibilities of a child is known to the adoption agency, it shall so far as it considers it reasonably practicable and in the interests of the child—

- (a) carry out in respect of such parent the requirements of paragraph (1)(a) and (b), as if they applied to him, unless the agency is satisfied that another adoption agency has so complied with those requirements;
- (b) obtain in respect of such parent the information required under Schedule 2 and ascertain so far as possible whether he intends to apply for any parental responsibilities or parental rights in relation to the child, or enter into a parental responsibilities agreement under section 4 of the 1995 Act.