
STATUTORY INSTRUMENTS

1996 No. 3266

The Adoption Agencies (Scotland) Regulations 1996

Return of consent certificate

15.—(1) Where each parent or guardian within a period of 28 days from the date of receipt of the certificate mentioned in regulation 14(1)(d) returns to the adoption agency the certificate specified in regulation 14 stating his agreement to the agency's decision, the agency shall determine that such agreement as is mentioned in section 16(1)(b)(i) or, as the case may be, section 18(1)(a) of the Act is likely to be forthcoming and for the purposes of section 27(1) of the Act the certificate shall be sufficient proof of consent.

(2) Unless the agency receives the certificate referred to in paragraph (1) within the 28 days specified (or where the parent or guardian cannot be contacted within 28 days from reasonable efforts being made to make contact), the agency shall proceed as though such agreement mentioned in paragraph (1) is unlikely to be forthcoming.

(3) Where a parent or guardian who has returned a certificate under regulation 15(1) subsequently notifies in writing to an agency that his agreement is no longer forthcoming, the agency shall from the date of receipt of the notification proceed, for the purposes of paragraph (1) but not where the child has already been placed for adoption for the purposes of section 27(1) of the Act, as though such agreement under the Act as is referred to in paragraph (1) is unlikely to be forthcoming and shall, if the adoption agency is a local authority, perform the duties referred to in regulation 17, or as the case may be regulation 18, as appropriate in light of the change of circumstances.