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STATUTORY INSTRUMENTS

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**1997 No. 291**

**Act of Sederunt (Child Care and Maintenance Rules) 1997**

CHAPTER 2

ADOPTION OF CHILDREN

PART IV

ADOPTION ORDERS

**Application for removal of child pending adoption**

**2.36.**—(1) An application under section 27(1) (restrictions on removal where adoption agreed or application made under section 18(1)), section 28 (restrictions on removal where applicant has provided home for five years), section 29 (return of child taken away in breach of section 27 or 28) or section 30(2) (return of children placed for adoption) of the Act<sup>(1)</sup> shall be made by minute lodged in the process of the original adoption petition.

(2) A minute under paragraph (1) shall set forth the relevant facts and the crave which the minuter wishes to make.

(3) On receipt of the minute the sheriff shall order a diet of hearing to be fixed and shall ordain the minuter to send a notice of such hearing in Form 15 together with a copy of the minute by registered post or by recorded delivery letter to the petitioner in the original petition, to the curator *ad litem* in the original petition, to any person who may have care and possession of the child and to such other persons as the sheriff may deem appropriate.

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(1) Sections 27(1), 28 and 29 were amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 2, paragraphs 42 to 44 ; section 29 was also amended by the Children Act 1989, Schedule 10, paragraph 39.