

# **ADOPTION AND CHILDREN (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Chapter 1**

#### ***The Adoption Service***

#### ***Section 12 - Power to provide payment to person entitled to adoption support service***

50. This section relates to the payment of money in lieu of the provision of an adoption support service by a local authority. It applies where a local authority has an obligation to provide, or secure the provision of, an adoption support service, or has a power to do so and decides that it should provide such services.
51. Subsection (2) gives local authorities power to provide a payment to the person instead of providing specific services having had regard to certain matters set out in subsection (3).
52. The matters to which a local authority must have regard include the person's eligibility for assistance from another source and the availability of such assistance at the time when the service would have been provided by the local authority.
53. Under subsections (4) and (5), a local authority may make payment subject to such conditions (including conditions concerning repayment) as the authority considers reasonable, taking account of the person's eligibility for assistance from any other body.