

*These notes relate to the Adoption and Children (Scotland) Act 2007 (asp 4) which received Royal Assent on 15 January 2007*

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

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Chapter 1**

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

#### ***Section 6 - Assistance in carrying out functions under sections 1 and 4***

35. Subsection (1) allows a local authority to require assistance from an “appropriate person” in carrying out any function set out at section 1 or 4.
36. Subsection (2) sets out the circumstances in which an appropriate person may refuse to comply with a request made by a local authority under subsection (1). These include where it would not be reasonably practical to do so, where it would be incompatible with the person’s functions, statutory or not, and where the person’s functions (when the person is not a natural person) would be unduly prejudiced.
37. Subsection (3) defines an “appropriate person” as including another local authority, a Health Board and such other person as may be prescribed, by regulations made by Scottish Ministers, as an “appropriate person”.