

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

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Chapter 2**

#### ***The Adoption Process***

#### ***Section 16 - Home visits***

73. By virtue of subsections (1) and (2), where a child has been placed with prospective adopters by an adoption agency, an adoption order cannot be made unless the court is satisfied that the adoption agency has been given sufficient opportunities to see the child with the prospective adopters in their home environment.
74. By virtue of subsections (3) and (4), where the child was not so placed, an adoption order cannot be made unless the court is satisfied that the local authority in whose area the prospective adopters have a home has been given sufficient opportunities to see the child with the prospective adopters in their home environment. Where the prospective adopters do not have a home in Scotland, any Scottish local authority must be given such opportunities.
75. In practice, the local authority to which such opportunity must be given at subsection (4) will normally be the local authority which has been notified of the prospective adopters' intention to adopt under section 18(2).