

ADOPTION AND CHILDREN (SCOTLAND) ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Chapter 7

Miscellaneous

Section 73 - Excepted payments

267. This section relates to payments made in connection with adoptions which are not prohibited under section 72.
268. By virtue of paragraph (a) of subsection (2), a payment is excepted if it is made to an adoption agency by a parent or guardian of the child or by a person who adopts or proposes to adopt the child, in respect of expenses reasonably incurred by the agency in connection with the adoption or proposed adoption of the child. A payment is excepted by paragraph (b) if it is made in relation to legal or medical expenses incurred or to be incurred by any person in connection with an application which the person makes or intends to make for an adoption order or a preliminary order under section 59. Under paragraph (c), a payment is excepted if it is authorised by the court to which the adoption application was made. By virtue of paragraph (d), a payment is excepted if it is made by one adoption agency to another in consideration of placing the child for adoption. Paragraph (e) provides that a payment is excepted if it is made by an adoption agency to a voluntary organisation as a fee for the services of the organisation putting the adoption agency in touch with another agency.