

ADOPTION AND CHILDREN (SCOTLAND) ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2

Permanence Orders

Section 80 - Permanence orders

285. Under subsection (1), on the application by a local authority a court can make a permanence order in respect of a child. Only a local authority can apply for a permanence order.
286. Subsection (2) defines a permanence order by reference to the contents of such an order. All permanence orders will contain the “mandatory provision” set out at section 81. Additionally, the order may contain such of the “ancillary provisions” listed at section 82 as the court thinks fit. Such an order may also grant authority for the child to be adopted, but only where the conditions in section 83 are met.
287. Subsection (3) provides that in making a permanence order, the court must ensure that each parental responsibility and right in respect of the child vests in a person.