



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 2

PERMANENCE ORDERS

Effect of order

87 Effect of order on existing parental right

The making of a permanence order extinguishes the parental right mentioned in subsection (1)(a) of section 2 of the 1995 Act of—

- (a) a parent of the child in respect of whom the order is made,
- (b) a guardian of such a child,

which, immediately before the making of the order, vested in the parent or, as the case may be, guardian.

Commencement Information

- II** S. 87 in force at 28.9.2009 by S.S.I. 2009/267, arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by S.S.I. 2012/99, art. 2)

88 Effect of order on existing orders

(1) This section applies where—

- (a) parental responsibilities or parental rights in relation to a child vest in a person by virtue of—
 - (i) a permanence order, or
 - (ii) an order under section 11 of the 1995 Act (court orders relating to parental responsibilities etc.),

(“the existing order”), and

Changes to legislation: Adoption and Children (Scotland) Act 2007, Cross Heading: Effect of order is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) the appropriate court intends to make a permanence order (“the new order”) as respects the child.
- (2) On the making of the new order, the existing order is revoked.
- (3) In making the new order, the court must secure that the parental responsibilities or parental rights vesting by virtue of the existing order vest in a person under the new order.

Commencement Information

I2 S. 88 in force at 28.9.2009 by S.S.I. 2009/267, arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by S.S.I. 2012/99, art. 2)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3A) inserted by [2020 asp 16 s. 30\(5\)](#)
- s. 14(4A)-(4C) inserted by [2020 asp 16 s. 2\(2\)\(c\)](#)
- s. 84(5A)(5B) inserted by [2020 asp 16 s. 2\(3\)\(c\)](#)