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**Changes to legislation:** Adoption and Children (Scotland) Act 2007, Paragraph 9 is up to date with all changes known to be in force on or before 21 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

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SCHEDULE 2  
MINOR AND CONSEQUENTIAL AMENDMENTS

*Children (Scotland) Act 1995 (c. 36)*

- 9 (1) The Children (Scotland) Act 1995 is amended as follows.
- (2) In section 11 (court orders relating to parental responsibilities etc.)—
- (a) in subsection (4)—
    - (i) for “(3)(a)(iii)” substitute “ (3)(ab) ”, and
    - (ii) after paragraph (a) insert “ or ”,
  - (b) in subsection (5), after “(3)(a)” insert “ and (ab) ”, and
  - (c) in subsection (6), for the words from “have” to the end substitute “ has the meaning given by section 119 of the Adoption and Children (Scotland) Act 2007 (asp 4) ”.
- (3) In subsection (1) of section 15 (interpretation of Part 1), in the definition of “parent”, after “30” insert “ and Chapter 3 of Part 1 of the Adoption and Children (Scotland) Act 2007 (asp 4) ”.
- (4) In subsection (6) of section 17 (duty of local authority to child looked after by authority)—
- (a) the word “or” after paragraph (c) is repealed, and
  - (b) after paragraph (d) add “; or
  - (e) in respect of whom a permanence order has, on an application by them under section 80 of the Adoption and Children (Scotland) Act 2007 (asp 4), been made and has not ceased to have effect.”.
- (5) In section 44 (prohibition of publication of proceedings at children's hearing), at end insert—
- “(6) The requirements of subsection (1) do not apply in relation to the publication by or on behalf of a local authority or an adoption agency (within the meaning of the Adoption and Children (Scotland) Act 2007 (asp 4)) of information about a child for the purposes of making arrangements in relation to the child under this Act or that Act.”.
- <sup>F1</sup>(6) .....
- <sup>F1</sup>(7) .....
- <sup>F1</sup>(8) .....
- (9) In paragraph (a) of subsection (1) of section 101 (panel for curators *ad litem*, reporting officers and safeguarders), for “under section 58 of the Adoption (Scotland) Act 1978” substitute “ by virtue of section 108 of the Adoption and Children (Scotland) Act 2007 (asp 4) ”.
- (10) In paragraph 4 of Schedule 3 (transitional provisions and savings), for sub-paragraph (e) substitute—
- “(e) the making of an adoption order (as defined in section 28(1) of the Adoption and Children (Scotland) Act 2007 (asp 4)) in respect of the child;

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- (f) the making of a permanence order (as defined in subsection (2) of section 80 of that Act) which includes provision such as is mentioned in paragraph (c) of that subsection in respect of the child.”.

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**Textual Amendments**

- F1** Sch. 2 para. 9(6)-(8) repealed (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, [Sch. 2](#)

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**Commencement Information**

- II** Sch. 2 para. 9(1)(5) in force at 7.4.2008 by [S.S.I. 2008/130](#), art. 2, [Sch.](#)

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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\(3\)\(c\)](#)