



# Adoption and Children (Scotland) Act 2007

2007 asp 4

## PART 2

### PERMANENCE ORDERS

#### *The making of permanence orders*

#### **82 Permanence orders: ancillary provisions**

- (1) The ancillary provisions are provisions—
- (a) vesting in the local authority for the appropriate period—
    - (i) such of the parental responsibilities mentioned in section 1(1)(a), (b) (i) and (d) of the 1995 Act, and
    - (ii) such of the parental rights mentioned in section 2(1)(b) and (d) of that Act,in relation to the child as the court considers appropriate,
  - (b) vesting in a person other than the local authority for the appropriate period—
    - (i) such of the parental responsibilities mentioned in section 1(1) of that Act, and
    - (ii) such of the parental rights mentioned in section 2(1)(b) to (d) of that Act,in relation to the child as the court considers appropriate,
  - (c) extinguishing any parental responsibilities which, immediately before the making of the order, vested in a parent or guardian of the child, and which—
    - (i) by virtue of section 81(1)(a) or paragraph (a)(i), vest in the local authority, or
    - (ii) by virtue of paragraph (b)(i), vest in a person other than the authority,
  - (d) extinguishing any parental rights in relation to the child which, immediately before the making of the order, vested in a parent or guardian of the child, and which—
    - (i) by virtue of paragraph (a)(ii), vest in the local authority, or

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**Changes to legislation:** Adoption and Children (Scotland) Act 2007, Section 82 is up to date with all changes known to be in force on or before 20 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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- (ii) by virtue of paragraph (b)(ii), vest in a person other than the authority,
  - (e) specifying such arrangements for contact between the child and any other person as the court considers appropriate and to be in the best interests of the child, and
  - (f) determining any question which has arisen in connection with—
    - (i) any parental responsibilities or parental rights in relation to the child, or
    - (ii) any other aspect of the welfare of the child.
- (2) In subsection (1), “the appropriate period” means—
- (a) in the case of the responsibility mentioned in section 1(1)(b)(ii) of the 1995 Act, the period beginning with the making of the permanence order and ending with the day on which the child reaches the age of 18,
  - (b) in any other case, the period beginning with the making of the permanence order and ending with the day on which the child reaches the age of 16.

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#### **Commencement Information**

- II** S. 82 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)

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