



Children (Scotland) Act 2020

2020 asp 16

Miscellaneous provisions

PROSPECTIVE

28 Conferral of parental responsibilities and parental rights: births registered outwith UK

- (1) The Children (Scotland) Act 1995 is modified as follows.
- (2) After section 4A insert—

“4B Conferral of parental responsibilities and parental rights where birth is registered outwith the United Kingdom

- (1) The Scottish Ministers may by regulations make provision for the conferral of parental responsibilities and parental rights on the following persons—
 - (a) a father who has not acquired those responsibilities and rights under section 3(1)(b), 4 or 11, or
 - (b) a second female parent who has not acquired those responsibilities and rights under section 3(1)(c) or (d), 4A or 11.
- (2) Regulations under subsection (1) may only make provision for the conferral of parental responsibilities and parental rights on a person in a case where—
 - (a) the child's birth is registered outwith the United Kingdom,
 - (b) the person acquired parental duties, rights or responsibilities in relation to the child through a process specified in the regulations, and
 - (c) the mother of the child has consented to that person acquiring those duties, rights or responsibilities.
- (3) Regulations under subsection (1) are subject to the negative procedure.”

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Children (Scotland) Act 2020, Section 28.