

SCHEDULE 1

PART I

INFORMATION ABOUT PROSPECTIVE ADOPTERS

14. Whether the prospective adopter or any other member of their household has previously—
- (a) notified a local authority of their intention to adopt a child;
 - (b) applied to an adoption agency with a view to adopting a child;
 - (c) had in their care a foster child within the meaning of section 1 of the Foster Children (Scotland) Act 1984(1) who has been removed under section 12 of that Act;
 - (d) been disqualified or prohibited from keeping a foster child under section 7 or section 10 of that Act(2) or disqualified or prohibited under section 68 or 69 of the Children Act 1989(3) from fostering a child privately;
 - (e) had in their care—
 - (i) a child who had been a protected child who had been removed under section 34 of the Adoption Act 1976(4); or
 - (ii) a privately fostered child within the meaning of section 66 of the Children Act 1989 in respect of whom an emergency protection order under section 44 of that Act has been made or the local authority has taken steps in accordance with section 67(5) of that Act;
 - (f) been convicted of an offence mentioned in Schedule 1 to the Criminal Procedure (Scotland) Act 1995(5) or an offence under Schedule 1 to the Children and Young Persons Act 1933(6);
 - (g) been convicted of an offence under section 11 of the Protection of Children (Scotland) Act 2003(7) or has been disqualified from working with children within the meaning of that Act;
 - (h) had parental responsibilities and rights in respect of one or more of their own children transferred to a local authority under section 86 of the 1995 Act(8) or had one or more of such children made subject to care orders under section 31 of the Children Act 1989(9);
 - (i) had parental responsibilities and rights in respect of one or more of their own children transferred to a local authority or any other person under section 81 or 82 of the Act;
 - (j) been refused registration as a child minder or worker in a nursery under—
 - (i) the Children Act 1989; or

(1) 1984 c. 56. Section 1 was amended (and repealed in part) by the Children Act 1989 c. 41, section 108 and Schedule 2. Section 12 was amended by the 1995 Act, Schedule 4.

(2) Section 7 was amended by the Children Act 1989, Schedule 4, the 1995 Act, Schedule 4 and the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 c. 40, Schedule 4, and is amended by the 2007 Act, schedule 4.

(3) 1989 c. 41. Section 68 was amended by the Criminal Justice Act 2003 c. 44, Schedules 32 and 37 and repealed, in part, by the Safeguarding Vulnerable Groups Act 2006 c. 47, Schedule 9.

(4) 1976 c. 36. Section 34 was repealed by the Children Act 1989 section 108 and Schedule 15.

(5) 1995 c. 46. Schedule 1 was amended by the Prohibition of Female Mutilation (Scotland) Act 2005 asp 8, section 7 and the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 asp 9, schedule 1.

(6) 1933 c. 12. Schedule 1 was amended by the Sexual Offences Act 2003 c. 33, Schedule 6 and by the Domestic Violence, Crime and Victims Act 2004 c. 28, Schedule 10.

(7) 2003 asp 5.

(8) Section 86 of the 1995 Act was amended by the Adoption and Children Act 2002 c. 38, Schedule 3.

(9) Section 31 was amended by the 1995 Act, Schedule 4, the Powers of Criminal Courts (Sentencing) Act 2000 c. 6, Schedule 9, the Criminal Justice and Court Services Act 2000 c. 43, Schedule 8 and the Adoption and Children Act 2002 sections 120 and 121(1).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(ii) Part 1 of the Regulation of Care (Scotland) Act 2001⁽¹⁰⁾,
and details of any such occurrence.

⁽¹⁰⁾ 2001 asp 8. Part 1 has been amended as follows: section 2 was amended by the [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 asp 13](#), schedule 5; sections 2, 16 and 25 were amended by the [Smoking, Health and Social Care \(Scotland\) Act 2005 asp 13](#), sections 29, 30 and 31 respectively; and sections 2, 21 and 25 are amended by the [Adoption and Children \(Scotland\) Act 2007 asp 4](#), section 82, schedules 2 and 3.