
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 99

**The Adoption and Children (Scotland) Act
2007 (Commencement No. 4, Transitional and
Savings Provisions) Amendment Order 2012**

Amendment

2.—(1) The Adoption and Children (Scotland) Act 2007 (Commencement No. 4, Transitional and Savings Provisions) Order 2009⁽¹⁾ is amended as follows.

(2) In article 16(2) (freeing orders made before the appointed day)—

- (a) after “shall” insert “subject to articles 17 and 18”; and
- (b) omit “until 28th September 2010”.

(3) In article 18 (applications for freeing orders under the 1978 Act)—

- (a) the existing provision becomes paragraph (1); and
- (b) after paragraph (1) insert—

“(2) Where an application continues by virtue of paragraph (1) and a freeing order is granted by the court on or after 28th September 2010 the child who is subject to that freeing order shall be treated as if they were subject to a permanence order and article 17(2) and (3) applies to that deemed permanence order.”.

(4) In article 21(1) (applications to vary or revoke a deemed permanence order) for “or 19(2)” substitute “, 18(2) or 19(2)”.