STATUTORY INSTRUMENTS

1983 No. 107 (S. 7)

CHILDREN AND YOUNG PERSONS

The Children Act 1975 (Scotland) (Commencement No. 3) (Amendment) Order 1983

Made - - - -	26*th January* 1983
Coming into Operation	26*th January* 1983

In exercise of the powers conferred on me by sections 108 and 106(3) of the Children Act 1975(**a**) and of all other powers enabling me in that behalf, I hereby make the following order:—

Citation and Interpretation

1.—(1) This order may be cited as the Children Act 1975 (Scotland) (Commencement No. 3) (Amendment) Order 1983.

(2) In this order "the principal order" means the Children Act 1975 (Scotland) (Commencement No. 3) Order 1982(**b**).

Amendment of Schedule 2 to the principal order

2. Schedule 2 to the principal order (Transitional Provisions and Adaptations) is amended as follows—

(a) in paragraph 5(*a*), after the words "where the adoption society has before" there are inserted the words " 28th February 1983";

(b) in paragraph 5(*b*), for the words "15th August 1982" there are substituted the words "28th February 1983"; and

(c) after paragraph 5 there is inserted the following paragraph —

"5A. For the purposes only of paragraph 5 of this Schedule, the incorporation of an adoption society which was immediately before 15th February 1982 an adoption society registered under Part II of the 1958 Act is deemed not to change the identity of that adoption society.".

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
26th January 1983.

(**a**) 1975 c. 72. (**b**) S.I. 1982/33.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order amends the Children Act 1975 (Scotland) (Commencement No. 3) Order 1982 ("the principal order") by inserting an additional paragraph, paragraph 5A, in Schedule 2 to the principal order.

Regulation 4 of the Adoption Agencies (Scotland) Regulations 1982 (S.I. 1982/34) prohibits an unincorporated body from applying for approval under section 4 of the Children Act 1975 to act as an adoption society: that provision came into operation on 15th February 1982. Paragraph 5 of Schedule 2 to the principal order provides that an adoption society which was immediately before 15th February 1982 registered under Part II of the Adoption Act 1958 (c.5 (7 & 8 Eliz.2)) is deemed to be an approved adoption society during the transitional period to which that paragraph refers. The additional paragraph 5A provides that such an adoption society is deemed not to change its identity by virtue of becoming an incorporated body.

This order also amends the principal order by providing for 28th February 1983 to be

(a) the date by which adoption societies, which were previously registered societies, are to apply to the Secretary of State for his approval under section 4 of the Children Act 1975; and

(b) in the case of registered adoption societies which have not applied for the Secretary of State's approval, the end of the period during which they are deemed to be approved societies.

SI 1983/107
ISBN 0-11-036107-5

