



This does not fall under the Adoption and Children (Scotland) Act 2007 Ss 17 or 19.

Applicants seeking to adopt the child in a surrogacy situation would need to lodge an application to the court seeking a parental order. It is a private law matter dealt with under the Human Fertilisation and Embryology Act 2008 S.54.

Upon receipt of an application for a parental order the court will appoint a Curator and a Reporting Officer in terms of Rule 2.50 of the Act of Sederunt (Child Care and Maintenance Rules) 1997 who may be the same person. The role of the Curator and the Reporting Officer is to provide the court with reports on the facts and circumstances of the application to allow the court to come to a view on the merits of the application.

The Local Authority has no involvement in this situation and therefore no responsibility to pay the Curator's fees. On the Surrogacy UK website it does say the Local Authority may pay the legal fees but is under no obligation.

November, 2019