

Form of agreement to a parental order under section 54(6) or 54A(5) of the Human Fertilisation and Embryology Act 2008

IN THE COURT OF SESSION

in the PETITION of

[A.B.] (*designation and address*)*

and

[C.D.] (*designation and address*)*

[*or serial number where one has been assigned]

for

a parental order under section 54 or [54A] of the Human Fertilisation and Embryology Act 2008

in respect of

[E.F.] (*full name as given in the birth certificate*)

I, (*insert name and address*), confirm that I am [the woman who carried the child] or [the father of the child by virtue of sections 35 or 36 of the Human Fertilisation and Embryology Act 2008] or [the other parent of the child by virtue of sections 42 or 43 of the Human Fertilisation and Embryology Act 2008] or [the other parent of the child by virtue of (*specify*)], state—

- (1) That I fully understand that the effect of the making of a parental order in respect of the child will be to extinguish all the parental responsibilities and parental rights which I have at present in respect of the child.
- (2) That I understand that the court cannot make a parental order in relation to the child without my agreement [and the agreement of [the woman who carried the child] or [the father of the child by virtue of sections 35 or 36 of the Human Fertilisation and Embryology Act 2008] or [the other parent of the child by virtue of sections 42 or 43 of the Human Fertilisation and Embryology Act 2008] or [the other parent of the child by virtue of (*specify*)], where he or she is not one of the petitioners] unless the court dispenses with agreement on the ground that the person concerned cannot be found or is incapable of giving agreement.
- (3) That I understand that when the hearing of the petition to determine the application for a parental order in relation to the child is heard, this document may be used as evidence of my agreement to the making of the order unless I inform the court that I no longer agree.
- (4) That I freely, and with full understanding of what is involved, agree unconditionally to the making of a parental order in relation to the child.

(5) That I have not received or given any money or benefit, other than for expenses reasonably incurred, for or in consideration of—

- (a) the making of the parental order,
- (b) the execution of this agreement,
- (c) the handing over of the child to the petitioners, or
- (d) the making of any arrangements with a view to the making of a parental order,

[other than (*state any money or other benefit given or received by authority of the court and specify such authority*)].

I have signed this agreement at (*place of signing*) on the day of Two thousand
and .

(Signed by the [woman who carried the child] [the father] or [other parent of the child])

This agreement was signed in the presence of:—

(Signed)

(Insert full name and address of witness)

[Note – where the petition is made by a single applicant under section 54A of the Human Fertilisation and Embryology Act 2008, references throughout this form to “the petitioners” should be amended to “the petitioner”.]