



# Adoption and Children Act 2002

## CHAPTER 38

### ADOPTION AND CHILDREN ACT 2002

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## **PART 3**

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### **MISCELLANEOUS**

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- 4 *Amendment of orders and rectification of Registers and other records*
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#### SCHEDULE 2 — Disclosure of birth records by Registrar General

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- 3 (1) Where an adopted person who is in England and...
- 4 (1) Where a person— (a) was adopted before 12th November...

#### SCHEDULE 3 — Minor and consequential amendments

- 1 The Marriage Act 1949 (c. 76)
- 2 In subsection (1), for “person or persons specified in subsection...
- 3 For subsection (1A) there is substituted— (1A) The appropriate persons...
- 4 For subsection (1B) there is substituted— (1B) In this section—...
- 5 In subsection (2), for “The last foregoing subsection” there is...
- 6 The Births and Deaths Registration Act 1953 (c. 20)
- 7 In section 10A of the Births and Deaths Registration Act...
- 8 The Sexual Offences Act 1956 (c. 69)
- 9 The Health Services and Public Health Act 1968 (c. 46)
- 10 In section 64 (financial assistance by the Secretary of State...
- 11 In section 65 (financial and other assistance by local authorities...
- 12 The Local Authority Social Services Act 1970 (c. 42)
- 13 In section 7D (default powers of Secretary of State as...
- 14 In Schedule 1 (enactments conferring functions assigned to social services...
- 15 The Immigration Act 1971 (c. 77)
- 16 The Legitimacy Act 1976 (c. 31)
- 17 In section 4 (legitimation of adopted child)—
- 18 In section 6 (dispositions depending on date of birth), at...
- 19 The Adoption Act 1976 (c. 36)
- 20 The National Health Service Act 1977 (c. 49)
- 21 The Adoption (Scotland) Act 1978 (c. 28)
- 22 In section 11 (restriction on arranging adoptions and placing of...
- 23 In section 16 (parental agreement to adoption order)—
- 24 In section 29 (return of children taken away in breach...
- 25 In section 45 (Adopted Children Register)— (a) in subsection (6)(d),...
- 26 In section 47 (annulment etc. of overseas adoptions), in subsection...
- 27 In section 50 (restriction on removal of children for adoption...
- 28 Section 52 (restriction on advertisements) is omitted.
- 29 In section 53 (effect of determination and orders made in...
- 30 After section 53 there is inserted— Effect of certain orders...
- 31 In section 54 (evidence of adoption in England, Wales and...
- 32 In section 56 (authorised courts), in subsection (3), for “Great...
- 33 In section 59 (rules of procedure)— (a) in subsection (2)—...
- 34 In section 60 (orders, rules and regulations), after subsection (3)...
- 35 In section 65 (interpretation), in subsection (1)—
- 36 The Magistrates’ Courts Act 1980 (c. 43)
- 37 . . . . .
- 38 . . . . .
- 39 In section 71 (newspaper reports of family proceedings)—
- 40 In Part 1 of Schedule 6 (fees to be taken...

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- 41 The Mental Health Act 1983 (c. 20)
- 42 The Child Abduction Act 1984 (c. 37)
- 43 (1) The Schedule to that Act (modifications of section 1...
- 44 The Matrimonial and Family Proceedings Act 1984 (c. 42)
- 45 The Child Abduction and Custody Act 1985 (c. 60)
- 46 The Family Law Act 1986 (c. 55)
- 47 In section 1 (orders to which Part 1 applies), in...
- 48 In section 2 (jurisdiction: general), after subsection (2) there is...
- 49 In section 57 (declarations as to adoptions effected overseas)—
- 50 The Family Law Reform Act 1987 (c. 42)
- 51 In section 1 (general principle), for paragraph (c) of subsection...
- 52 In section 19 (dispositions of property), in subsection (5), after...
- 53 The Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I. 22))
- 54 The Children Act 1989 (c. 41)
- 55 In section 8 (residence, contact and other orders with respect...
- 56 In section 10 (power of court to make section 8...
- 57 In section 12 (residence orders and parental responsibility), in subsection...
- 58 In section 16 (family assistance orders), in subsection (2)(a), for...
- 59 In section 20 (provision of accommodation for children: general), in...
- 60 In section 24 (persons qualifying for advice and assistance)—
- 61 In section 24A (advice and assistance for qualifying persons)—
- 62 In section 24B (assistance with employment, education and training), in...
- 63 In section 33 (effect of care order)—
- 64 In section 34 (parental contact etc. with children in care)—...
- 65 In section 80 (inspection of children’s homes by persons authorised...
- 66 In section 81 (inquiries), in subsection (1), paragraph (b) is...
- 67 In section 88 (amendments of adoption legislation), subsection (1) is...
- 68 In section 91 (effect and duration of orders, etc.)—
- 69 In section 102 (power of constable to assist in exercise...
- 70 In section 105 (interpretation), in subsection (1)—
- 71 In Schedule 1 (financial provision for children)—
- 72 In Schedule 2, in paragraph 19 (arrangements by local authorities...
- 73 In Schedule 8 (privately fostered children), in paragraph 5, for...
- 74 Part 1 of Schedule 10 is omitted.
- 75 . . . . .
- 76 The Human Fertilisation and Embryology Act 1990 (c. 37)
- 77 In section 27 (meaning of mother), in subsection (2), for...
- 78 In section 28 (meaning of father), in subsection (5)(c), for...
- 79 In section 30 (parental orders in favour of gamete donors),...
- 80 The Courts and Legal Services Act 1990 (c. 41)
- 81 The Child Support Act 1991 (c. 48)
- 82 The Children (Scotland) Act 1995 (c. 36)
- 83 In subsection (3), in paragraph (a), for “section 18 (freeing...
- 84 In subsection (6), in paragraph (b), for the words from...
- 85 The Family Law Act 1996 (c. 27)
- 86 In section 62 (meaning of “relevant child” etc.)—
- 87 At the end of that section there is inserted—
- 88 In section 63 (interpretation of Part 4)—
- 89 The Housing Act 1996 (c. 52)
- 90 In subsection (2), for the words from “has been freed”...
- 91 After that subsection there is inserted— (2A) . . . . .



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- 92 In subsection (3), for the definition of “adoption order”, there...
- 93 The Police Act 1997 (c. 50)
- 94 The Protection of Children Act 1999 (c. 14)
- 95 The Adoption (Intercountry Aspects) Act 1999 (c. 18)
- 96 Section 2 of that Act (accredited bodies) is amended as...
- 97 In subsection (2A)— (a) for the words from the beginning...
- 98 For subsection (5) there is substituted— (5) In this section,...
- 99 In subsection (6)— (a) the words “in its application to...
- 100 Section 14 (restriction on bringing children into the United Kingdom...
- 101 In section 16(1) (devolution: Wales), the words “, or section...
- 102 The Access to Justice Act 1999 (c. 22)
- 103 The Care Standards Act 2000 (c. 14)
- 104 In section 4 (basic definitions), in subsection (7), for “the...
- 105 At the end of section 5 (registration authorities) there is...
- 106 In section 11 (requirement to register), in subsection (3), for...
- 107 In section 14 (2) (offences conviction of which may result...
- 108 In section 16(2) (power to make regulations providing that no...
- 109 In section 22(10) (disapplication of power to make regulations in...
- 110 In section 23 (standards), at the end of subsection (4)(d)...
- 111 In section 31 (inspections by authorised persons), in subsection (3)(b),...
- 112 In section 43 (introductory), in subsection (3)(a)—
- 113 In section 46 (inspections: supplementary), in subsection (7)(c), for  
“section...
- 114 In section 48 (regulation of fostering functions), at the end...
- 115 In section 55(2)(b) (definition of “social care worker”), for “or...
- 116 In section 121 (general interpretation)— (a) in subsection (1), in...
- 117 In Schedule 4 (minor and consequential amendments), paragraph 27(b)  
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- 118 The Criminal Justice and Court Services Act 2000 (c. 43)

#### SCHEDULE 4 — Transitional and transitory provisions and savings

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- 6 *Pending applications for freeing orders*
- 7 *Freeing orders*
- 8 *Pending applications for adoption orders*
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- 10 Adoptions with a foreign element
- 11 In section 56 of the Adoption Act 1976 (restriction on...
- 12 For section 56A of the Adoption Act 1976 (c. 36)...
- 13 In section 72 of the Adoption Act 1976 (c. 36)...
- 14 Advertising
- 15 In section 52 of the Adoption (Scotland) Act 1978 (c....
- 16 (1) The Secretary of State may make regulations providing for...
- 17 *Status*
- 18 Section 69 does not apply to a pre-1976 instrument.
- 19 In section 70(1), the reference to Part 3 of the...
- 20 *Registration of adoptions*
- 21 *The Child Abduction Act 1984 (c. 37)*
- 22 *The Courts and Legal Services Act 1990 (c. 41)*

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## 23 *The Children (Scotland) Act 1995 (c. 36)*

SCHEDULE 5 — Repeals

SCHEDULE 6 — Glossary

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**Changes and effects yet to be applied to :**

- s. 26(5) words substituted by [2014 c. 6 Sch. 2 para. 60\(6\)](#)
- s. 30 extended (N.I.) by [2022 c. 18 \(N.I.\) s. 110\(2\)\(3\)](#)
- s. 34 extended (N.I.) by [2022 c. 18 \(N.I.\) s. 110\(2\)\(3\)](#)
- s. 36 extended (N.I.) by [2022 c. 18 \(N.I.\) s. 110\(2\)\(3\)](#)
- s. 63(4)(b) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 56](#)
- s. 65(2)(b) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 57](#)
- s. 101(1) repealed by [2010 c. 26 Sch. 3 para. 12](#)[Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 3 Pt. 2](#) and [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 101(2) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 101(3) words repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 123(3)(a) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 58](#)
- s. 141(1) words substituted by [2005 c. 4 Sch. 1 para. 26\(2\)27](#) (This amendment is not have effect at any time after the amendments made to the Adoption and Children Act 2002 by paragraph 413 of Schedule 8 to the Courts Act 2003 (c. 39) have come into force, see [2005 c. 4, Sch. 1 para. 26\(2\)](#). The amendments by [Sch. 8 para. 413](#) came into force on 1.4.2005 by [S.I. 2005/910, art. 3\(y\)](#))
- s. 142(4) words substituted by [2005 c. 4 Sch. 1 para. 26\(2\)28](#) (This amendment is not have effect at any time after the amendments made to the Adoption and Children Act 2002 by paragraph 413 of Schedule 8 to the Courts Act 2003 (c. 39) have come into force, see [2005 c. 4, Sch. 1 para. 26\(2\)](#). The amendments by [Sch. 8 para. 413](#) came into force on 1.4.2005 by [S.I. 2005/910, art. 3\(y\)](#))
- s. 144(1) words inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 59\(b\)](#)
- s. 144(1) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 59\(a\)](#)
- [Sch. 3 para. 79](#) coming into force by [S.I. 2005/2213 art. 2\(o\)](#) (Effect not applied to [legislation.gov.uk](#). Words in commencing [art. 2\(o\)](#) substituted (15.10.2005) by [S.I. 2005/2897, art. 14\(3\)](#))
- [Sch. 3 para. 94](#) repealed by [2006 c. 47 Sch. 10](#)
- [Sch. 3 para. 38](#) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- [Sch. 3 para. 39](#) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2014 c. 6 s. 5](#)
- s. 141(7) inserted by [2010 c. 26 Sch. 3 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 3 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))