
STATUTORY INSTRUMENTS

2013 No. 1801

The Adoption (Recognition of Overseas Adoptions) Order 2013

Citation and commencement

1. This Order may be cited as the Adoption (Recognition of Overseas Adoptions) Order 2013 and comes into force on 3rd January 2014.

Overseas adoptions

2.—(1) An adoption of a child⁽¹⁾ is specified as an overseas adoption if it is an adoption effected under the law of a country or territory listed in the Schedule after the coming into force of this Order and is not a Convention adoption⁽²⁾.

(2) In this Article “law” does not include customary or common law.

Evidence of an overseas adoption

3.—(1) The following documents may be provided as evidence that an overseas adoption has been effected—

- (a) a certified copy of an entry made, in accordance with the law of the country or territory concerned, in a public register relating to the recording of adoptions and showing that the adoption has been effected; or
- (b) a certificate that the adoption has been effected, signed or purporting to be signed by a person authorised by the law of the country or territory concerned to sign such a certificate, or a certified copy of such a certificate.

(2) Where a document produced by virtue of paragraph (1) is not in English, the Registrar General may require the production of an English translation of the document before being satisfied of the matters specified in paragraph 3 of Schedule 1 to the Adoption and Children Act 2002⁽³⁾.

(3) Nothing in this Article may be construed as precluding proof, in accordance with the Evidence (Foreign, Dominion and Colonial Documents) Act 1933⁽⁴⁾, or the Oaths and Evidence (Overseas Authorities and Countries) Act 1963⁽⁵⁾, or otherwise, that an overseas adoption has been effected.

Revocations and savings provision

4.—(1) The Adoption (Designation of Overseas Adoptions) Order 1973⁽⁶⁾ (‘the 1973 Order’) and the Adoption (Designation of Overseas Adoptions) (Variation) Order 1993⁽⁷⁾ are revoked.

(1) See section 144(1) of the Adoption and Children Act 2002 (“the Act”) for the definition of “child”.

(2) See section 144(1) of the Act for the definition of “the Convention”.

(3) Paragraph 3(6) was amended by [S.I. 2008/678](#).

(4) [1933 \(c.4\)](#). Section 1 was amended by section 5 of the Oaths and Evidence (Overseas Authorities and Countries) Act [1963 \(c.27\)](#) and section 2 was repealed by section 34 of, and Part 2 of Schedule 4 to, the British Nationality Act [1948 \(c.56\)](#).

(5) [1963 \(c.27\)](#). Section 4 was repealed by section 8(2) of, and Schedule 2 to, the Evidence (Proceedings in Other Jurisdictions) Act [1975 \(c.34\)](#).

(6) [S.I. 1973/19](#), amended by Article 3 of [S.I. 1993/690](#).

(7) [S.I. 1993/690](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) The revocations do not affect any adoption designated as an overseas adoption by virtue of the 1973 Order prior to the coming into force of this Order.

18th July 2013

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