



Adoption (Intercountry Aspects) Act 1999

CHAPTER 18

ADOPTION (INTERCOUNTRY ASPECTS) ACT 1999

Implementation of Convention

- 1 Regulations giving effect to Convention.
- 2 Central Authorities and accredited bodies.

Convention adoptions

- 3 Convention adoption orders.
- 4 Effect of Convention adoptions in England and Wales.
- 5 Effect of Convention adoptions in Scotland.
- 6 Annulment of Convention adoptions etc.
- 7 Acquisition of British citizenship by Convention adoptions.
- 8 Meaning of “Convention adoption” and related expressions in 1976 and 1978 Acts.

Intercountry adoptions

- 9 Adoption Service to include intercountry adoptions etc.
- 10 Approval of adoption societies to provide intercountry adoption services.
- 11 Six months residence required for certain intercountry adoptions.
- 12 Registration of certain intercountry adoptions.
- 13 Construction of certain references in 1976 and 1978 Acts.

Miscellaneous and supplemental

- 14 Restriction on bringing children into the United Kingdom for adoption.
- 15 Amendments and repeals.
- 16 Devolution.
- 17 Savings for adoptions etc. under 1965 Convention.

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18 Short title, interpretation, commencement and extent.

SCHEDULES

SCHEDULE 1 — Convention on Protection of Children and Co-operation in respect of Intercountry Adoption

The States signatory to the present Convention.

Recognizing that the child, for the full and harmonious development...

Recalling that each State should take, as a matter of...

Recognizing that intercountry adoption may offer the advantage of a...

Convinced of the necessity to take measures to ensure that...

Desiring to establish common provisions to this effect, taking into...

Have agreed upon the following provisions—

— CHAPTER I SCOPE OF THE CONVENTION ARTICLE 1 THE OBJECTS...

CHAPTER I

SCOPE OF THE CONVENTION

Article 1

The objects of the present Convention are—

Article 2

- 1 The Convention shall apply where a child habitually resident in...
- 2 The Convention covers only adoptions which create a permanent parent-child...

Article 3

The Convention ceases to apply if the agreements mentioned in...

CHAPTER II

REQUIREMENTS FOR INTERCOUNTRY ADOPTIONS

Article 4

An adoption within the scope of the Convention shall take...

Article 5

An adoption within the scope of the Convention shall take...

CHAPTER III

CENTRAL AUTHORITIES AND ACCREDITED BODIES

Article 6

- 1 A Contracting State shall designate a Central Authority to discharge...
- 2 Federal States, States with more than one system of law...

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Article 7

- 1 Central Authorities shall co-operate with each other and promote co-operation...
- 2 They shall take directly all appropriate measures to—

Article 8

Central Authorities shall take, directly or through public authorities, all...

Article 9

Central Authorities shall take, directly or through public authorities or...

Article 10

Accreditation shall only be granted to and maintained by bodies...

Article 11

An accredited body shall— (a) pursue only non-profit objectives according...

Article 12

A body accredited in one Contracting State may act in...

Article 13

The designation of the Central Authorities and, where appropriate, the...

CHAPTER IV

PROCEDURAL REQUIREMENTS IN INTERCOUNTRY ADOPTION

Article 14

Persons habitually resident in a Contracting State, who wish to...

Article 15

- 1 If the Central Authority of the receiving State is satisfied...
- 2 It shall transmit the report to the Central Authority of...

Article 16

- 1 If the Central Authority of the State of origin is...
- 2 It shall transmit to the Central Authority of the receiving...

Article 17

Any decision in the State of origin that a child...

Article 18

The Central Authorities of both States shall take all necessary...

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Article 19

- 1 The transfer of the child to the receiving State may...
- 2 The Central Authorities of both States shall ensure that this...
- 3 If the transfer of the child does not take place,...

Article 20

The Central Authorities shall keep each other informed about the...

Article 21

- 1 Where the adoption is to take place after the transfer...
- 2 Having regard in particular to the age and degree of...

Article 22

- 1 The functions of a Central Authority under this Chapter may...
- 2 Any Contracting State may declare to the depositary of the...
- 3 A Contracting State which makes the declaration provided for in...
- 4 Any Contracting State may declare to the depositary of the...
- 5 Notwithstanding any declaration made under paragraph 2, the reports provided...

CHAPTER V

RECOGNITION AND EFFECTS OF THE ADOPTION

Article 23

- 1 An adoption certified by the competent authority of the State...
- 2 Each Contracting State shall, at the time of signature, ratification,...

Article 24

The recognition of an adoption may be refused in a...

Article 25

Any Contracting State may declare to the depositary of the...

Article 26

- 1 The recognition of an adoption includes recognition of
- 2 In the case of an adoption having the effect of...
- 3 The preceding paragraphs shall not prejudice the application of any...

Article 27

- 1 Where an adoption granted in the State of origin does...
- 2 Article 23 applies to the decision converting the adoption.

CHAPTER VI

GENERAL PROVISIONS

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Article 28

The Convention does not affect any law of a State...

Article 29

There shall be no contact between the prospective adoptive parents...

Article 30

- 1 The competent authorities of a Contracting State shall ensure that...
- 2 They shall ensure that the child or his or her...

Article 31

Without prejudice to Article 30, personal data gathered or transmitted...

Article 32

- 1 No one shall derive improper financial or other gain from...
- 2 Only costs and expenses, including reasonable professional fees of persons...
- 3 The directors, administrators and employees of bodies involved in an...

Article 33

A competent authority which finds that any provision of the Convention has...

Article 34

If the competent authority of the State of destination of...

Article 35

The competent authorities of the contracting States shall act expeditiously...

Article 36

In relation to a State which has two or more...

Article 37

In relation to a State which with regard to adoption...

Article 38

A State within which different territorial units have their own...

Article 39

- 1 The convention does not affect any international instrument to which...
- 2 Any Contracting State may enter into agreements with one or...

Article 40

No reservation to the Convention shall be permitted.

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Article 41

The Convention shall apply in every case where an application...

Article 42

The Secretary General of the Hague Conference on Private International...

SCHEDULE 2 — Minor and consequential amendments

Local Authority and Social Services Act 1970 (c.42)

- 1 In Schedule 1 to the Local Authority and Social Services...

Immigration Act 1971 (c.77)

- 2 In subsection (1) of section 33 of the Immigration Act...

Adoption Act 1976 (c.36)

- 3 (1) In subsection (2) of section 14 of the 1976...

Adoption (Scotland) Act 1978 (c.28)

- 4 (1) In subsection (2) of section 14 of the 1978...

Family Law Act 1986 (c.55)

- 5 In subsection (1) of section 57 of the Family Law...

SCHEDULE 3 — Repeals

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Changes and effects yet to be applied to :

- s. 1(1) by 2000 c. 14 s. 46(7)(d)
- s. 2(2) repealed by 2001 asp 8 Sch. 3 para. 22(a)
- s. 2(6) words inserted by 2002 c. 38 Sch. 3 para. 99(b)
- s. 2(6) words repealed by 2002 c. 38 Sch. 3 para. 99(a)Sch. 5
- s. 7(3) repealed by 2002 c. 38 Sch. 5
- Sch. 2 para. 3 repealed by 2002 c. 38 Sch. 5