



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 6

ADOPTIONS WITH A FOREIGN ELEMENT

Overseas adoptions

87 Overseas adoptions

- (1) In this Act, “overseas adoption”—
 - (a) means an adoption of a description specified in an order made by the Secretary of State, being a description of adoptions effected under the law of any country or territory outside the British Islands, but
 - (b) does not include a Convention adoption.
- (2) Regulations may prescribe the requirements that ought to be met by an adoption of any description effected after the commencement of the regulations for it to be an overseas adoption for the purposes of this Act.
- (3) At any time when such regulations have effect, the Secretary of State must exercise his powers under this section so as to secure that subsequently effected adoptions of any description are not overseas adoptions for the purposes of this Act if he considers that they are not likely within a reasonable time to meet the prescribed requirements.
- (4) In this section references to this Act include the Adoption Act 1976 (c. 36).
- (5) An order under this section may contain provision as to the manner in which evidence of any overseas adoption may be given.
- (6) In this section—

Changes to legislation: *Adoption and Children Act 2002, Cross Heading: Overseas adoptions is up to date with all changes known to be in force on or before 24 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“adoption” means an adoption of a child or of a person who was a child at the time the adoption was applied for,

“regulations” means regulations made by the Secretary of State after consultation with the Assembly.

Commencement Information

- I1** S. 87(1)(a)(2)(5)(6) in force at 7.12.2004 for specified purposes by [S.I. 2004/3203](#), **art. 2(1)(m)(vii)**
- I2** S. 87(1)(a)(2)(5)(6) in force at 30.12.2005 in so far as not already in force by [S.I. 2005/2213](#), **art. 2(f)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)
- I3** S. 87(1)(b)(4) in force at 1.6.2003 by [S.I. 2003/366](#), **art. 2(5)(a)**
- I4** S. 87(3) in force at 30.12.2005 by [S.I. 2005/2213](#), **art. 2(f)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

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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\(a\)](#))