



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 7

MISCELLANEOUS

Information

98 Pre-commencement adoptions: information

- (1) Regulations under section 9 may make provision for the purpose of—
- assisting persons adopted before the appointed day who have attained the age of 18 to obtain information in relation to their adoption, and
 - facilitating contact between such persons and their relatives.

[^{F1}(1A) Regulations under section 9 may make provision for the purpose of facilitating contact between persons with a prescribed relationship to a person adopted before the appointed day and that person's relatives.]

- (2) For [^{F2}a purpose within subsection (1) or (1A)] the regulations may confer functions on—
- registered adoption support agencies,
 - the Registrar General,
 - adoption agencies.
- (3) For [^{F3}a purpose within subsection (1) or (1A)] the regulations may—
- authorise or require any person mentioned in subsection (2) to disclose information,

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- (b) authorise or require the disclosure of information contained in records kept under section 8 of the Public Records Act 1958 (c. 51) (court records), and may impose conditions on the disclosure of information, including conditions restricting its further disclosure.
- (4) The regulations may authorise the charging of prescribed fees by any person mentioned in subsection (2) or in respect of the disclosure of information under subsection (3)(b).
- (5) An authorisation or requirement to disclose information by virtue of subsection (3)(a) has effect in spite of any restriction on the disclosure of information in Chapter 5.
- (6) The making of regulations by virtue of subsections (2) to (4) which relate to the Registrar General requires the approval of [^{F4}the Secretary of State].
- (7) In this section—
- “appointed day” means the day appointed for the commencement of sections 56 to 65,
- [^{F5}“prescribed” means prescribed by regulations under section 9;]
- [^{F6}“registered adoption support agency” means—
- (a) in relation to England, an adoption support agency in respect of which a person is registered under Part 2 of the Care Standards Act 2000 (c. 14), or
- (b) in relation to Wales, an adoption support agency registered as an adoption service under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2);]
- “relative”, in relation to an adopted person, means any person who (but for his adoption) would be related to him by blood (including half-blood) [^{F7}, marriage or civil partnership].

Textual Amendments

- F1** S. 98(1A) inserted (25.7.2014 for E., 19.10.2015 for W.) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 1(1)**, 139(6); S.I. 2014/889, art. 6(a); S.I. 2015/1808, art. 2
- F2** Words in s. 98(2) substituted (25.7.2014 for E., 19.10.2015 for W.) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 1(2)**, 139(6); S.I. 2014/889, art. 6(a); S.I. 2015/1808, art. 2
- F3** Words in s. 98(3) substituted (25.7.2014 for E., 19.10.2015 for W.) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 1(2)**, 139(6); S.I. 2014/889, art. 6(a); S.I. 2015/1808, art. 2
- F4** Words in s. 98(6) substituted (3.4.2008) by [The Transfer of Functions \(Registration\) Order 2008 \(S.I. 2008/678\)](#), art. 1(2), **Sch. 2 para. 12(d)** (with art. 4)
- F5** Words in s. 98(7) inserted (25.7.2014 for E., 19.10.2015 for W.) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 1(3)**, 139(6); S.I. 2014/889, art. 6(a); S.I. 2015/1808, art. 2
- F6** Words in s. 98(7) substituted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2019 \(S.I. 2019/772\)](#), regs. 1(2), **20**
- F7** Words in s. 98(7) substituted (30.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), **ss. 79(10)**, 263(2); S.I. 2005/3175, art. 2(9)

Modifications etc. (not altering text)

- C1** S. 98(6): transfer of functions (3.4.2008) by [The Transfer of Functions \(Registration\) Order 2008 \(S.I. 2008/678\)](#), art. 1(2), **Sch. 1 para. 12(d)** (with art. 4)

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Commencement Information

- I1** S. 98 in force at 7.2.2004 for W. by [S.I. 2004/252](#), **art. 2(b)**
- I2** S. 98 in force at 7.12.2004 for E. by [S.I. 2004/3203](#), **art. 2(1)(j)**

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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\(a\)](#))