

## SCHEDULES

### SCHEDULE 2

Section 79(6)

#### DISCLOSURE OF BIRTH RECORDS BY REGISTRAR GENERAL

- 1 On an application made in the prescribed manner by an adopted person—
- (a) a record of whose birth is kept by the Registrar General, and
  - (b) who has attained the age of 18 years,
- the Registrar General must give the applicant any information necessary to enable the applicant to obtain a certified copy of the record of his birth.
- “Prescribed” means prescribed by regulations made by the Registrar General with the approval of the Chancellor of the Exchequer.
- 2 (1) Before giving any information to an applicant under paragraph 1, the Registrar General must inform the applicant that counselling services are available to the applicant—
- (a) from a registered adoption society, an organisation within section 144(3)(b) or an adoption society which is registered under Article 4 of the Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I. 22)),
  - (b) if the applicant is in England and Wales, at the General Register Office or from any local authority or registered adoption support agency,
  - (c) if the applicant is in Scotland, from any council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39),
  - (d) if the applicant is in Northern Ireland, from any Board.
- (2) In sub-paragraph (1)(b), “registered adoption support agency” means an adoption support agency in respect of which a person is registered under Part 2 of the Care Standards Act 2000 (c. 14).
- (3) In sub-paragraph (1)(d), “Board” means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)); but where the functions of a Board are exercisable by a Health and Social Services Trust, references in that sub-paragraph to a Board are to be read as references to the Health and Social Services Trust.
- (4) If the applicant chooses to receive counselling from a person or body within sub-paragraph (1), the Registrar General must send to the person or body the information to which the applicant is entitled under paragraph 1.
- 3 (1) Where an adopted person who is in England and Wales—
- (a) applies for information under paragraph 1 or Article 54 of the Adoption (Northern Ireland) Order 1987, or
  - (b) is supplied with information under section 45 of the Adoption (Scotland) Act 1978 (c. 28),
- the persons and bodies mentioned in sub-paragraph (2) must, if asked by the applicant to do so, provide counselling for the applicant.
- (2) Those persons and bodies are—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the Registrar General,
  - (b) any local authority,
  - (c) a registered adoption society, an organisation within section 144(3)(b) or an adoption society which is registered under Article 4 of the Adoption (Northern Ireland) Order 1987.
- 4 (1) Where a person—
- (a) was adopted before 12th November 1975, and
  - (b) applies for information under paragraph 1,
- the Registrar General must not give the information to the applicant unless the applicant has attended an interview with a counsellor arranged by a person or body from whom counselling services are available as mentioned in paragraph 2.
- (2) Where the Registrar General is prevented by sub-paragraph (1) from giving information to a person who is not living in the United Kingdom, the Registrar General may give the information to any body which—
- (a) the Registrar General is satisfied is suitable to provide counselling to that person, and
  - (b) has notified the Registrar General that it is prepared to provide such counselling.