



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 2

#### AMENDMENTS OF THE CHILDREN ACT 1989

#### 112 Acquisition of parental responsibility by step-parent

After section 4 of the 1989 Act there is inserted—

##### **“4A Acquisition of parental responsibility by step-parent**

- (1) Where a child’s parent (“parent A”) who has parental responsibility for the child is married to a person who is not the child’s parent (“the step-parent”)—
  - (a) parent A or, if the other parent of the child also has parental responsibility for the child, both parents may by agreement with the step-parent provide for the step-parent to have parental responsibility for the child; or
  - (b) the court may, on the application of the step-parent, order that the step-parent shall have parental responsibility for the child.
- (2) An agreement under subsection (1)(a) is also a “parental responsibility agreement”, and section 4(2) applies in relation to such agreements as it applies in relation to parental responsibility agreements under section 4.
- (3) A parental responsibility agreement under subsection (1)(a), or an order under subsection (1)(b), may only be brought to an end by an order of the court made on the application—
  - (a) of any person who has parental responsibility for the child; or
  - (b) with the leave of the court, of the child himself.
- (4) The court may only grant leave under subsection (3)(b) if it is satisfied that the child has sufficient understanding to make the proposed application.”