



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 1

#### ADOPTION

### CHAPTER 3

#### PLACEMENT FOR ADOPTION AND ADOPTION ORDERS

##### *Placement of children by adoption agency for adoption*

#### **18 Placement for adoption by agencies**

- (1) An adoption agency may—
  - (a) place a child for adoption with prospective adopters, or
  - (b) where it has placed a child with any persons (whether under this Part or not), leave the child with them as prospective adopters,but, except in the case of a child who is less than six weeks old, may only do so under section 19 or a placement order.
- (2) An adoption agency may only place a child for adoption with prospective adopters if the agency is satisfied that the child ought to be placed for adoption.
- (3) A child who is placed or authorised to be placed for adoption with prospective adopters by a local authority is looked after by the authority.
- (4) If an application for an adoption order has been made by any persons in respect of a child and has not been disposed of—
  - (a) an adoption agency which placed the child with those persons may leave the child with them until the application is disposed of, but
  - (b) apart from that, the child may not be placed for adoption with any prospective adopters.

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*Status: This is the original version (as it was originally enacted).*

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“Adoption order” includes a Scottish or Northern Irish adoption order.

- (5) References in this Act (apart from this section) to an adoption agency placing a child for adoption—
- (a) are to its placing a child for adoption with prospective adopters, and
  - (b) include, where it has placed a child with any persons (whether under this Act or not), leaving the child with them as prospective adopters;
- and references in this Act (apart from this section) to a child who is placed for adoption by an adoption agency are to be interpreted accordingly.
- (6) References in this Chapter to an adoption agency being, or not being, authorised to place a child for adoption are to the agency being or (as the case may be) not being authorised to do so under section 19 or a placement order.
- (7) This section is subject to sections 30 to 35 (removal of children placed by adoption agencies).