



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 3

PLACEMENT FOR ADOPTION AND ADOPTION ORDERS

Removal of children in non-agency cases

40 Other non-agency cases

- (1) In any case where sections 37 to 39 do not apply but—
 - (a) the people concerned have given notice of intention to adopt, or
 - (b) the people concerned have applied for leave under section 42(6) and the application has not been disposed of,the following persons may remove the child.
- (2) They are—
 - (a) a person who has the court's leave,
 - (b) a local authority or other person in the exercise of a power conferred by any enactment, other than section 20(8) of the 1989 Act.