

2003 No. 189 (C.18)

CHILDREN AND YOUNG PERSONS, ENGLAND AND WALES

**The Adoption (Intercountry Aspects) Act 1999
(Commencement No. 8) Order 2003**

Made - - - - *22nd January 2003*

The Secretary of State for Health, in exercise of the powers conferred on him by section 18(3) of the Adoption (Intercountry Aspects) Act 1999^(a), after consultation with the National Assembly for Wales^(b), hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Adoption (Intercountry Aspects) Act 1999 (Commencement No. 8) Order 2003.

(2) In this Order “the Act” means the Adoption (Intercountry Aspects) Act 1999.

Appointed days

2.—(1) 23rd January 2003 is the appointed day for the coming into force of the following provisions of the Act as respects England and Wales—

- (a) section 1 and Schedule 1 (regulations giving effect to Convention) and section 16(1) (devolution);
- (b) for the purposes of making regulations, section 3 (Convention adoption order) and section 12 (registration of certain intercountry adoptions); and
- (c) for the purposes specified in sub-paragraph (b), section 8 in so far as it relates to the meaning of “Convention adoption” and “Convention adoption order”.

(2) 1st June 2003 is the appointed day for the coming into force of the following provisions of the Act as respects England and Wales—

- (a) section 2(1), (2) and (4) (Central Authorities and accredited bodies);
- (b) section 3 in so far as it has not already been brought into force;
- (c) section 4 (effect of Convention adoptions in England and Wales);
- (d) section 6 (annulment of Convention adoptions etc.);
- (e) section 8 (meaning of “Convention adoption” and related expressions in the 1976 Act) in so far as it has not already been brought into force;
- (f) section 12 in so far as it has not already been brought into force;

^(a) 1999 c.18.

^(b) By virtue of section 16(1) of the Act any function of the Secretary of State under section 18(3) is exercisable only after consultation with the National Assembly for Wales.

- (g) section 17 (saving for adoption etc. 1965 Convention);
- (h) Schedule 2 paragraphs 1, 3 and 5 and section 15 in so far as it relates to those paragraphs in that Schedule; and
- (i) Schedule 3 and section 15 in so far as it relates to that Schedule.

Signed by authority of the Secretary of State for Health

22nd January 2003

Jacqui Smith
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 23rd January 2003 as respects England and Wales sections 1, 3 and 12 and for connected purposes section 8 of the Adoption (Intercountry Aspects) Act 1999. The coming into force of sections 1, 3 and 12 enable regulations to be made which give effect to the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption which was concluded at the Hague on 29th May 1993 (“the Convention”).

This Order also brings into force on 1st June 2003 as respects England and Wales sections 2(1), (2) and (4) and 3, 4, 6, 8, 12 and 17; Schedule 2 paragraphs 1, 3 and 5 and section 15 in so far as it relates to those paragraphs; and Schedule 3 and section 15 in so far as it relates to that Schedule to give effect to the Convention.

It is the intention that the UK will ratify the Convention on 1st June 2003.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order:—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 as to Scotland	14 January 2003	2002/562
Section 9 as to England and Wales	30 April 2001	2001/1279
Section 9 as to Scotland	14 June 2001	2001/235
Section 12 as to Scotland	14 January 2003	2002/562
Section 13, as to England and Wales, partially	31 January 2000	2000/52
Section 13, as to Scotland, partially	10 November 2000	2000/2821
Section 14 as to England and Wales	30 April 2001	2001/1279
Section 14 as to Scotland	14 June 2001	2001/235
Section 16(2)	16 October 2000	2000/2821

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£1.75

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E0110 2/03 ON (MFK)