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STATUTORY INSTRUMENTS

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**2003 No. 288 (C. 14)**

**CHILDREN AND YOUNG  
PERSONS, ENGLAND AND WALES  
CHILDREN AND YOUNG  
PERSONS, NORTHERN IRELAND**

The Adoption and Children Act 2002  
(Commencement No. 2) Order 2003

Made - - - - 3rd February 2003

The Secretary of State for Health, in exercise of the powers conferred upon him by section 148(1) of the Adoption and Children Act 2002<sup>(1)</sup> and of all other powers enabling him in that behalf, after consultation with the National Assembly for Wales<sup>(2)</sup>, other than as respects paragraph 53 of Schedule 3 to that Act, hereby makes the following Order:—

**Citation and interpretation**

1.—(1) This Order may be cited as the Adoption and Children Act 2002 (Commencement No. 2) Order 2003.

(2) In this Order “the Act” means the Adoption and Children Act 2002.

**Appointed day**

2. 3rd February 2003 is the appointed day for the coming into force of the following provisions of the Act—

- (a) paragraph 53 of Schedule 3 to the Act (the Adoption (Northern Ireland) Order 1987 (S.I.1987/2203 (N.I. 22))) and section 139(1) of the Act in so far as it relates to that paragraph;
- (b) sub-paragraph (1) of paragraph 4 of Schedule 4 to the Act (regulation of adoption agencies) and section 139(2) of the Act in so far as it relates to that sub-paragraph.

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<sup>(1)</sup> 2002 c. 38. The power is exercisable, as respect section 148(1), by the Secretary of State.

<sup>(2)</sup> By virtue of section 148(2), the power under subsection (1) is only exercisable (other than an order bringing paragraph 53 of Schedule 3 into force) after the Secretary of State consults the National Assembly for Wales.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Secretary of State for Health

3rd February 2003

*Jacqui Smith*  
Minister of State,  
Department of Health

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the second Commencement Order made under the Adoption and Children Act 2002 (“the Act”).

Article 2(a) brings into force on 3rd February 2003 Schedule 3, paragraph 53 of the Act. That paragraph amends the definition of “prescribed” in the Adoption (Northern Ireland) Order 1987 (S.I. [1987/2203 \(N.I. 22\)](#)) so as to enable the Department of Finance and Personnel to make regulations under Articles 53(3B) and (3D) and 54 of that Order.

Article 2(b) brings into force on 3rd February 2003 Schedule 4, paragraph 4(1) of the Act which amends section 9 of the Adoption Act 1976. The effect of the amendment is to enable the appropriate Minister, as defined in the amendment, to make regulations in connection with the regulation of adoption agencies.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

The following provision of the Act has been brought into force by a commencement order made before the date of this Order—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
16 as to Wales	29th January 2003	<a href="#">2003/181 (W. 31) (C. 9)</a>