
STATUTORY INSTRUMENTS

2003 No. 367

The Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003

PART I
GENERAL

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003 and shall come into force on 30th April 2003.

(2) In these Regulations—

“the Act” means the Care Standards Act 2000;

“agency” means an appropriate voluntary organisation⁽¹⁾;

“branch manager” shall be construed in accordance with regulation 6(1)(b);

“complaints procedure” shall be construed in accordance with regulation 11(1);

“guardian” has the meaning given to it in section 5 of the Children Act 1989⁽²⁾;

“manager” shall be construed in accordance with regulation 6(1)(a);

“organisation” means a body corporate other than a public or local authority the activities of which are not carried on for profit;

“registered provider” means, in relation to an agency, a person who is registered under Part II of the Act as the person carrying on the agency⁽³⁾;

“registration authority” means, in relation to an agency, the registration authority which may exercise, in relation to that agency, functions to which section 36A of the Act applies⁽⁴⁾;

“responsible individual” shall be construed in accordance with regulation 5(2);

“statement of purpose” means the written statement compiled in accordance with regulation 3(1).

(1) By virtue of section 1(5) of the 1976 Act, inserted by section 116 of, and paragraph 5(2)(b) of Schedule 4 to, the Act, “appropriate voluntary organisation” is defined as a voluntary organisation which is an adoption society in respect of which a person is registered under Part II of the Act. Part II of the Act makes provision for registration of certain establishments and agencies, including voluntary adoption agencies. By section 4(7) of the Act, “voluntary adoption agency” is defined as an adoption society within the meaning of the 1976 Act which is a voluntary organisation within the meaning of that Act.

(2) 1989 c. 41.

(3) By virtue of section 121(4) of the Act the person who carries on the agency is the voluntary organisation itself.

(4) By virtue of sections 5 and 36A of the Act (inserted by section 16 of the 2002 Act) where the principal office of the agency is in England, the registration authority will be the National Care Standards Commission and where the principal office of the agency is in Wales, the registration authority will be the National Assembly for Wales. By section 5(b) of the Act, the National Assembly for Wales is referred to as “the Assembly”. By section 6(1) of the Act the National Care Standards Commission is referred to as “the Commission”.

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

(3) In these Regulations, references to employing a person include employing a person whether or not for payment, and whether under a contract of service or a contract for services, and allowing a person to work as a volunteer, and references to an employee or to a person being employed shall be construed accordingly.