
STATUTORY INSTRUMENTS

2005 No. 389

The Adoption Agencies Regulations 2005

PART 8

MISCELLANEOUS

Modification of 1989 Act in relation to adoption

45.—(1) This paragraph applies where—

- (a) a local authority are authorised to place a child for adoption; or
- (b) a child who has been placed for adoption by a local authority is less than 6 weeks old.

(2) Where paragraph (1) applies—

- (a) section 22(4)(b) of the 1989 Act shall not apply;
- (b) section 22(4)(c) of the 1989 Act shall apply as if for that sub-paragraph there were inserted “ (c) any prospective adopter with whom the local authority has placed the child for adoption^[F1]; ”;
- (c) section 22(5)(b) of the 1989 Act shall apply as if for the words “(4)(b) to (d)” there were inserted “ (4)(c) and (d) ”; and
- (d) paragraphs 15 and 21 of Schedule 2 to the 1989 Act shall not apply.

(3) This paragraph applies where a registered adoption society is authorised to place a child for adoption or a child who has been placed for adoption by a registered adoption society is less than 6 weeks old.

(4) Where paragraph (3) applies—

- (a) section 61^{F2}... of the 1989 Act is to have effect in relation to the child whether or not he is accommodated by or on behalf of the society;
- (b) section 61(2)(b) of the 1989 Act shall not apply; and
- (c) section 61(2)(c) of the 1989 Act shall apply as if for that sub-paragraph there were inserted “ (c) any prospective adopter with whom the registered adoption society has placed the child for adoption^[F3]; ”.

Textual Amendments

- F1** Word in reg. 45(2)(b) substituted (30.12.2005) by [The Adoption and Children \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3482\)](#), regs. 1, **5(q)(i)**
- F2** Word in reg. 45(4)(a) omitted (30.12.2005) by virtue of [The Adoption and Children \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3482\)](#), regs. 1, **5(q)(ii)**
- F3** Word in reg. 45(4)(c) substituted (30.12.2005) by [The Adoption and Children \(Miscellaneous Amendments\) Regulations 2005 \(S.I. 2005/3482\)](#), regs. 1, **5(q)(iii)**

Status:

Point in time view as at 30/12/2005.

Changes to legislation:

There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005, Section 45.