
STATUTORY INSTRUMENTS

2005 No. 691

The Adoption Support Services Regulations 2005

PART 1

INTRODUCTORY

Citation, commencement and application

1.—(1) These Regulations may be cited as the Adoption Support Services Regulations 2005 and shall come into force on 30th December 2005.

(2) These Regulations apply to England only.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Adoption and Children Act 2002;

“adoptive child” means—

- (a) a child who has been adopted or in respect of whom a person has given notice of his intention to adopt under section 44 of the Act; or
- (b) a child whom an adoption agency has matched with a prospective adopter or placed for adoption;

“adoptive parent” means—

- (a) a person who has adopted a child or has given notice under section 44 of the Act of his intention to adopt a child; or
- (b) a person with whom an adoption agency has matched a child or has placed a child for adoption;

“agency adoptive child” means—

- (a) a child who has been adopted after having been placed for adoption by an adoption agency; or
- (b) a child whom an adoption agency has matched with a prospective adopter or placed for adoption;
- (c) a child whose adoptive parent has been a local authority foster parent in relation to him (unless the local authority oppose the adoption);

“child” means (subject to paragraph (2)) a person who has not attained the age of 18;

“income support” means income support under Part VII of the Social Security Contributions and Benefits Act 1992(1);

“jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995(2);

(1) 1992 c. 4.
(2) 1995 c. 18.

“local authority foster parent” has the same meaning as in the Children Act 1989⁽³⁾;

“local education authority” has the same meaning as in the Education Act 1996⁽⁴⁾;

“Local Health Board” means a Local Health Board established by the National Assembly for Wales under section 16BA of the National Health Service Act 1977⁽⁵⁾;

“Primary Care Trust” means a Primary Care Trust established under section 16A of the National Health Service Act 1977;

“related person” in relation to an adoptive child means—

- (a) a relative within the meaning of section 144(1) of the Act; or
- (b) any person with whom the adoptive child has a relationship which appears to the local authority to be beneficial to the welfare of the child having regard to the matters referred to in sub-paragraphs (i) to (iii) of section 1(4)(f) of the Act;

“tax credit” has the same meaning as in the Tax Credits Act 2002⁽⁶⁾;

(2) In any case where—

- (a) a person has attained the age of 18 years and is in full-time education or training; and
- (b) immediately before he attained the age of 18 years—
 - (i) he was an adoptive child; and
 - (ii) financial support was payable in relation to him,

the definition of “child” shall, for the purposes of the continued provision of financial support and any review of financial support, have effect in relation to him as if he had not attained the age of 18 years.

(3) For the purposes of these Regulations a child has been matched with a prospective adopter if an adoption agency is considering placing the child for adoption with that person.

(3) 1989 c. 41.
(4) 1996 c. 56.
(5) 1977 c. 49.
(6) 2002 c. 21.