STATUTORY INSTRUMENTS

2008 No. 1798 (C. 76)

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

The Children and Adoption Act 2006 (Commencement No. 2) Order 2008

Made	-	-	-	-		*6th July 2008*

The Secretary of State for Children, Schools and Families makes the following Order in exercise of the powers conferred by section 17(2) of the Children and Adoption Act 2006(**1**):

In accordance with section 17(4) of that Act, he has consulted the Welsh Ministers(**2**) and, in accordance with section 17(5) of that Act, he has consulted the Department of Health, Social Services and Public Safety in Northern Ireland:

Citation and interpretation

1.—(1) This Order may be cited as the Children and Adoption Act 2006 (Commencement No. 2) Order 2008.

(2) In this Order, "the Act" means the Adoption and Children Act 2006.

Appointed days

2.—(1) 7th July 2008 is the appointed day for the coming into force of the following provisions of the Act—

(a) section 9(4) (declaration of special restrictions on adoptions from abroad), and

(b) section 16 (regulations and orders).

(2) 1st August 2008 is the appointed day for the coming into force of the following provisions of the Act—

(**1**) 2006 c.20.
(**2**) By virtue of section 17(4), the Secretary of State must consult the National Assembly for Wales before making an order under section 17(2). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

(a) in so far as it is not brought into force by paragraph (1), section 9 (declaration of special restrictions on adoptions from abroad),

(b) section 10 (review), and

(c) in so far as they are not already in force, section 11 (the special restrictions) and section 12 (imposition of extra conditions in certain cases).

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Kevin Brennan
Parliamentary Under Secretary of State
Department for Children, Schools and Families

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6th July 2008

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the second Commencement Order made by the Secretary of State under the Children and Adoption Act 2006 ("the Act").

Article 2(1) of this Order brings into force on 7th July 2008 section 9(4) and section 16 of the Act. Article 2(2) brings into force on 1st August 2008 section 10 and, in so far as they are not already in force, sections 9, 11 and 12 of the Act. These sections of the Act extend to England and Wales and to Northern Ireland, except for section 12(6) which extends to England and Wales only.

Section 9 provides for the Secretary of State by order to declare that special restrictions are to apply for the time being to the bringing of children into the United Kingdom from a country or territory outside the British Islands in certain cases involving adoption. A country or territory in relation to which a declaration has effect for the time being is referred to as a restricted country. Section 10 provides that the Secretary of State must keep each restricted country under review. Section 11 defines the special restrictions. Section 12 provides for the imposition of extra conditions in certain cases. Section 16 makes provision as to regulations and orders.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	Date of Commencement	S.I. No.
Section 6	1st October 2007	S.I. 2007/2287 (C.86)
Section 7	1st October 2007	S.I. 2007/2287 (C.86)
Section 11, partially	2nd August 2007	S.I. 2007/2287 (C.86)
Section 12, partially	2nd August 2007	S.I. 2007/2287 (C.86)
Section 13, in relation to Wales	2nd April 2007	S.I. 2007/733 (W.65) (C.31)
Section 14 (1) and (2)	1st October 2007	S.I. 2007/2287 (C.86)
Section 14(3)	2nd August 2007	S.I 2007/2287 (C.86)
Section 15(2), partially	1st October 2007	S.I. 2007/2287 (C.86)
Schedule 3, partially	1st October 2007	S.I. 2007/2287 (C.86)