
WELSH STATUTORY INSTRUMENTS

2012 No. 1905

**The Adoption Agencies (Wales)
(Amendment) Regulations 2012**

Amendment of the Principal Regulations

6. In regulation 17—

- (a) in the heading, omit “for the adoption panel”,
- (b) for paragraph (2) substitute—

“(2) In a case where—

- (a) the adoption agency is a local authority and is considering whether the child ought to be placed for adoption, and
- (b) either paragraph (2A) or (2B) applies,

the adoption agency may not refer the case to the adoption panel.

(2A) This paragraph applies when—

- (a) the child is placed for adoption by the adoption agency or is being provided with accommodation by the local authority;
- (b) no adoption agency is authorised to place the child for adoption, and
- (c) the child has no parent or guardian, or the agency consider that the conditions in section 31(2) of the 1989 Act are met in relation to the child.

(2B) This paragraph applies where—

- (a) an application has been made, and has not been disposed of, on which a care order might be made in respect of the child, or
- (b) the child is subject to a care order and the adoption agency are not authorised to place the child for adoption.

(2C) In a case not falling within paragraph (2), the adoption agency must send the information and reports referred to in (2D) to the adoption panel.

(2D) For the purposes of paragraph (2C) and regulation 19(1)(A) the information and reports are—

- (i) the written report referred to in regulation 17(1),
- (ii) the written report on the state of the child’s health referred to in regulation 15(2)(b), unless the adoption agency has received advice from the medical adviser that such a report is unnecessary, and
- (iii) the information relating to the health of the child’s natural parents.”.