



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 7

Miscellaneous

Restrictions

Restriction on arranging adoptions etc.

96.—(1) A person who is neither an adoption agency nor acting in pursuance of an order of the High Court must not take any of the steps mentioned in subsection (2).

(2) The steps are—

- (a) asking a person other than an adoption agency to provide a child for adoption;
- (b) asking a person other than an adoption agency to provide prospective adopters for a child;
- (c) offering to find a child for adoption;
- (d) offering a child for adoption to a person other than an adoption agency;
- (e) handing over a child to any person other than an adoption agency with a view to the child's adoption by that or another person;
- (f) receiving a child handed over to the person in contravention of paragraph (e);

- (g) entering into an agreement with any person for the adoption of a child, or for the purpose of facilitating the adoption of a child, where no adoption agency is acting on behalf of the child in the adoption;
 - (h) initiating or taking part in negotiations of which the purpose is the conclusion of an agreement within paragraph (g);
 - (i) causing another person to take any of the steps mentioned in paragraphs (a) to (h).
- (3) Subsection (1) does not apply to a person taking any of the steps mentioned in paragraphs (d), (e), (g), (h) and (i) of subsection (2) if the following condition is met.
- (4) The condition is that—
- (a) the prospective adopters are parents, relatives or guardians of the child (or one of them is); or
 - (b) the prospective adopter is the partner of a parent of the child.
- (5) References to an adoption agency in subsection (2) include a prescribed person outside the United Kingdom exercising functions corresponding to those of an adoption agency, if the functions are being exercised in prescribed circumstances in respect of the child in question.
- (6) The Department may by order make any amendments of subsections (1) to (4), and any consequential amendments of this Act, which the Department considers necessary or expedient.
- (7) In this section “agreement” includes an arrangement (whether or not enforceable).