



Family Law Act 1986

1986 CHAPTER 55

PART III

DECLARATIONS OF STATUS

57 **Declarations as to adoptions effected overseas.**

- (1) Any person whose status as an adopted child of any person depends on whether he has been adopted by that person by either—
 - (a) an overseas adoption as defined by section 72(2) of the Adoption Act 1976, or
 - (b) an adoption recognised by the law of England and Wales and effected under the law of any country outside the British Islands,may apply to the court for one (or for one or, in the alternative, the other) of the declarations mentioned in subsection (2) below.
- (2) The said declarations are—
 - (a) a declaration that the applicant is for the purposes of section 39 of the Adoption Act 1976 the adopted child of that person;
 - (b) a declaration that the applicant is not for the purposes of that section the adopted child of that person.
- (3) A court shall have jurisdiction to entertain an application under subsection (1) above if, and only if, the applicant—
 - (a) is domiciled in England and Wales on the date of the application, or
 - (b) has been habitually resident in England and Wales throughout the period of one year ending with that date.
- (4) Until the Adoption Act 1976 comes into force—
 - (a) subsection (1) above shall have effect as if for the reference to section 72(2) of that Act there were substituted a reference to section 4(3) of the Adoption Act 1968; and

Status: This is the original version (as it was originally enacted).

- (b) subsection (2) above shall have effect as if for the reference to section 39 of that Act there were substituted a reference to Part II of Schedule I to the Children Act 1975.