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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1313**

**The Adoption Agencies (Wales) Regulations 2005**

**PART 5**

**DUTIES OF ADOPTION AGENCY IN RESPECT OF PROPOSED  
PLACEMENT OF CHILD WITH PROSPECTIVE ADOPTER**

**Function of the adoption panel in relation to the proposed placement**

**33.**—(1) The adoption panel must consider the proposed placement referred to it by the adoption agency and make a recommendation to the agency as to whether the child should be placed for adoption with that particular prospective adopter.

(2) In considering what recommendation to make the adoption panel must have regard to the duties imposed on the adoption agency under section 1(2), (4) and (5) of the Act (considerations applying to the exercise of powers in relation to the adoption of a child) and —

- (a) must consider and take into account all information and the reports passed to it in accordance with regulation 32;
- (b) may request the adoption agency to obtain any other relevant information which the panel considers necessary; and
- (c) must obtain legal advice as it considers necessary in relation to the case.

(3) The adoption panel must also consider and, where the panel makes a recommendation to the agency that the child should be placed for adoption with that particular prospective adopter, the panel may consider and at the same time give advice to the adoption agency about —

- (i) where the adoption agency is a local authority, the authority's proposals for the provision of adoption support services;
- (ii) the arrangements the adoption agency proposes to make for allowing any person contact with the child;
- (iii) whether an application should be made for a placement order; and
- (iv) where the agency is authorised to place the child for adoption whether it considers any person's parental responsibility should be restricted and, if so, the extent of any such restriction.

(4) The adoption panel may only make the recommendation in paragraph (1) if —

- (a) that recommendation is to be made at the same meeting of the adoption panel at which a recommendation has been made that the child should be placed for adoption; or
- (b) the adoption agency or another adoption agency has made a decision in accordance with regulation 19 that the child should be placed for adoption;

and in either case that recommendation is to be made at the same meeting of the panel at which a recommendation has been made that the prospective adopter is suitable to adopt a child or the adoption agency, or another adoption agency, has made a decision in accordance with regulation 28 that the prospective adopter is suitable to adopt a child.