



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 3

Placement for adoption and adoption orders

Placement of children by adoption agency for adoption

Contact

23.—(1) On an adoption agency being authorised to place a child for adoption, or placing a child for adoption who is less than six weeks old, any provision for contact under the Children Order ceases to have effect.

(2) While an adoption agency is so authorised or a child is placed for adoption—

- (a) no application may be made for any provision for contact under the Children Order; but
- (b) the court may make an order under this section requiring the person with whom the child lives, or is to live, to allow the child to visit or stay with the person named in the order, or for the person named in the order and the child otherwise to have contact with each other.

(3) An application for an order under this section may be made by—

- (a) the child or the agency;
- (b) any parent, guardian or relative;

- (c) any person in whose favour there was provision for contact under the Children Order which ceased to have effect by virtue of subsection (1);
- (d) if a residence order was in force immediately before the adoption agency was authorised to place the child for adoption or (as the case may be) placed the child for adoption at a time when the child was less than six weeks old, the person in whose favour the order was made;
- (e) if a person had care of the child immediately before that time by virtue of an order made in the exercise of the High Court's inherent jurisdiction with respect to children, that person;
- (f) any person who has obtained the court's leave to make the application.

(4) When making a placement order, the court may on its own initiative make an order under this section.

(5) In this section "provision for contact under the Children Order" means a contact order under Article 8 of the Children Order or an order under Article 53 of that Order (parental contact with children in care).