

*Status: This version of this provision is prospective.*

*Changes to legislation: Adoption and Children Act (Northern Ireland) 2022, Section 29 is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



## 2022 CHAPTER 18

### PART 1

#### Adoption

#### CHAPTER 3

#### Placement for adoption and adoption orders

#### *Removal of children who are or may be placed by adoption agencies*

PROSPECTIVE

#### **Recovery by parent etc. where child placed and consent withdrawn**

**29.**—(1) This section applies where—

- (a) a child is placed for adoption by an adoption agency under section 16; and
- (b) consent to placement under that section has been withdrawn,

unless an application is, or has been, made for a placement order and the application has not been disposed of.

(2) If a parent or guardian (“P or G”) of the child informs the agency that P or G wishes the child to return to P or G—

- (a) the agency must give notice of P’s or G’s wish to the prospective adopters; and
- (b) the prospective adopters must secure the return of the child to the agency within the period of seven days beginning with the day on which the notice is given.

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(3) A prospective adopter who fails to comply with subsection (2)(b) is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months, or a fine not exceeding level 5 on the standard scale, or both.

(4) The agency must secure the return of the child to the parent or guardian in question within the period of seven days beginning with the day on which the child returns to the agency.

(5) Where a notice under subsection (2) is given, but—

(a) before the notice was given, an application for an adoption order, special guardianship order or residence order, or for leave to apply for a special guardianship order or residence order, was made in respect of the child; and

(b) the application (and, in a case where leave is given on an application to apply for a special guardianship order or residence order, the application for the order) has not been disposed of,

the prospective adopters are not required by virtue of the notice to secure the return of the child to the agency unless the court so orders.

(6) In subsection (5) references to an application for an adoption order are references to an application for an adoption order under the law of any part of the United Kingdom.

#### Commencement Information

**II** S. 29 not in operation at Royal Assent, see [s. 160\(1\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by S.I. 2018/412, Sch. 3 (as substituted) by [2022 c. 18 \(N.I.\) Sch. 3 para. 83](#)