



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 3

Placement for adoption and adoption orders

*Removal of children in non-agency cases*

**Partners of parents**

**36.—**(1) This section applies if a child's home is with a partner of a parent and the partner has given notice of intention to adopt.

(2) If the child's home has been with the partner for not less than three years (whether continuous or not) during the period of five years ending with the removal, the following persons may remove the child—

- (a) a person who has the court's leave;
- (b) an adoption authority or other person in the exercise of a power conferred by any statutory provision other than Article 22(2) of the Children Order.

(3) If subsection (2) does not apply, the following persons may remove the child—

- (a) a parent or guardian;
- (b) a person who has the court's leave;
- (c) an adoption authority or other person in the exercise of a power conferred by any statutory provision other than Article 22(2) of the Children Order.