



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 3

Placement for adoption and adoption orders

*Placement and adoption: general*

**Modification of Children Order in relation to adoption**

**52.—(1)** Where—

- (a) an adoption authority is authorised to place a child for adoption; or
- (b) a child who has been placed for adoption by an authority is less than six weeks old,

regulations may provide for the following provisions of the Children Order to apply with modifications, or not to apply, in relation to the child.

(2) The provisions are—

- (a) Article 26(2)(b), (c) and (d) and (3)(b) (duty to ascertain wishes and feelings of certain persons);
- (b) Articles 29 and 39 (promoting contact with parents and parents' obligation to contribute towards maintenance).

(3) Where an appropriate voluntary organisation is authorised to place a child for adoption or a child who has been placed for adoption by an appropriate voluntary organisation is less than six weeks old, regulations may provide—

- (a) for Article 76 of the Children Order to have effect in relation to the child whether or not the child is accommodated by or on behalf of the organisation;
  - (b) for paragraphs (2)(b) to (d) and (3)(b) of that Article (duty to ascertain wishes and feelings of certain persons) to apply with modifications, or not to apply, in relation to the child.
- (4) Where a child's home is with persons who have given notice of intention to adopt, no contribution is payable (whether under a contribution order or otherwise) under Articles 38 to 43 of the Children Order (contributions towards maintenance of children looked after by an authority) in respect of the period referred to in subsection (5).
- (5) That period begins when the notice of intention to adopt is given and ends if—
- (a) the period of four months beginning with the giving of the notice expires without the prospective adopters applying for an adoption order; or
  - (b) an application for such an order is withdrawn or refused.
- (6) In this section, “notice of intention to adopt” includes notice of intention to apply for an adoption order under the law of any part of the United Kingdom.