



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 6

Adoptions with a foreign element

Adoptions from abroad: special restrictions

Imposition of extra conditions in certain cases

- 89.**—(1) The Department may make regulations providing—
- (a) for it to specify in the restricted list, in relation to any restricted country, a step which is not otherwise provided for by or by virtue of any statutory provision but which, by virtue of the arrangements between the United Kingdom and that country, the Department normally takes in connection with the bringing in of a child where that country is concerned; and
 - (b) that, if such a step has been so specified in relation to a restricted country, one or more conditions specified in the regulations are to be met in respect of a child brought into the United Kingdom in either of the cases mentioned in section 86(2) (reading the reference there to the “other country” as being to the restricted country in question).
- (2) Those conditions are in addition to any provided for by virtue of—
- (a) section 82; or
 - (b) under or by virtue of any other statutory provision.

(3) A person who brings, or causes another to bring, a child into the United Kingdom is guilty of an offence if any condition required to be met by virtue of subsection (1)(b) is not met.

(4) Subsection (3) does not apply if the step specified in the restricted list in relation to any country had already been taken before the publication of the restricted list.

(5) A person guilty of an offence under this section is liable—

- (a) on summary conviction to imprisonment for a term not exceeding six months, or a fine not exceeding the statutory maximum, or both;
- (b) on conviction on indictment to imprisonment for a term not exceeding twelve months, or a fine, or both.

(6) In this section, “restricted country” and “restricted list” have the same meanings as in section 86.