



Adoption Act 1976

1976 CHAPTER 36

PART II

ADOPTION ORDERS

The making of adoption orders

12 Adoption orders.

- (1) An adoption order is an order [^{F1}giving parental responsibility for a child to] the adopters, made on their application by an authorised court.
- (2) The order does not affect [^{F2}parental responsibility so far as it relates] to any period before the making of the order.
- (3) The making of an adoption order operates to extinguish—
 - [^{F3}(a) the parental responsibility which any person has for the child immediately before the making of the order;
 - (aa) any order under the Children Act 1989]
 - (b) any duty arising by virtue of an agreement or the order of a court to make payments, so far as the payments are in respect of the child's maintenance [^{F4}or upbringing for any period after the making of the order.]
- (4) Subsection (3)(b) does not apply to a duty arising by virtue of an agreement—
 - (a) which constitutes a trust, or
 - (b) which expressly provides that the duty is not to be extinguished by the making of an adoption order.
- (5) An adoption order may not be made in relation to a child who is or has been married.
- (6) An adoption order may contain such terms and conditions as the court thinks fit.
- (7) An adoption order may be made notwithstanding that the child is already an adopted child.

Status: Point in time view as at 01/06/2003.

Changes to legislation: Adoption Act 1976, Part II is up to date with all changes known to be in force on or before 27 June 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)

Textual Amendments

- F1** Words in s. 12(1) substituted (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para.3(1)**(with Sch. 14 para. 1(1)); S. I. 1991/828, **art. 3(2)**
- F2** Words in s. 12(2) substituted (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para.3(2)**(with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- F3** S. 12(3)(a)(aa) substituted (14. 10. 1991) for para. (a) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para. 3(3)**(with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- F4** Words in s. 12(3)(b) substituted (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para.3(3)** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

Modifications etc. (not altering text)

- C1** S. 12 applied (with modifications) (1.6.2003) by The Intercountry Adoption (Hague Convention) Regulations 2003 (S.I. 2003/118), regs. 1(1), 34, **Sch. 3** (with reg. 37)

13 Child to live with adopters before order made.

(1) Where—

- (a) [^{F5}(subject to subsection (1A))]the applicant, or one of the applicants, is a parent, step-parent or relative of the child, or
- (b) the child was placed with the applicants by an adoption agency or in pursuance of an order of the High Court,

an adoption order shall not be made unless the child is at least 19 weeks old and at all times during the preceding 13 weeks had his home with the applicants or one of them.

[^{F6}(1A) Where an adoption is proposed to be effected by a Convention adoption order, the order shall not be made unless at all times during the preceding six months the child had his home with the applicants or one of them.]

- (2) Where subsection (1)[^{F7}or (1A)] does not apply, an adoption order shall not be made unless the child is at least 12 months old and at all times during the preceding 12 months had his home with the applicants or one of them.
- (3) An adoption order shall not be made unless the court is satisfied that sufficient opportunities to see the child with the applicant, or, in the case of an application by a married couple, both applicants together in the home environment have been afforded—
- (a) where the child was placed with the applicant by an adoption agency, to that agency, or
- (b) in any other case, to the local authority within whose area the home is.

Textual Amendments

- F5** Words in s. 13(1)(a) inserted (1.6.2003) by Adoption and Children Act 2002 (c. 38), s. 148(1), **Sch. 4 para. 10(a)** (with Sch. 4 paras. 6-8); S.I. 2003/366, art. 2(5)(c)(i)
- F6** S. 13(1A) inserted (1.6.2003) by Adoption and Children Act 2002 (c. 38), s. 148(1), **Sch. 4 para. 10(b)** (with Sch. 4 paras. 6-8); S.I. 2003/366, art. 2(5)(c)(i)
- F7** Words in s. 13(2) inserted (1.6.2003) by Adoption and Children Act 2002 (c. 38), s. 148(1), **Sch. 4 para. 10(c)** (with Sch. 4 paras. 6-8); S.I. 2003/366, art. 2(5)(c)(i)

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Modifications etc. (not altering text)

- C2** S. 13(1) excluded (1.6.2003) by [Adoption \(Bringing Children into the United Kingdom\) Regulations 2003 \(S.I. 2003/1173\)](#), regs. 1(1), **6(1)**
- C3** S. 13(1A) modified (1.6.2003) by [Adoption \(Bringing Children into the United Kingdom\) Regulations 2003 \(S.I. 2003/1173\)](#), regs. 1(1), **6(2)**

14 Adoption by married couple.

[^{F8}(1) An adoption order shall not be made on the application of more than one person except in the circumstances specified in subsections (1A) and (1B).

(1A) An adoption order may be made on the application of a married couple where both the husband and the wife have attained the age of 21 years.

(1B) An adoption order may be made on the application of a married couple where—

- (a) the husband or the wife—
 - (i) is the father or mother of the child; and
 - (ii) has attained the age of 18 years:
- and
- (b) his or her spouse has attained the age of 21 years.]

(2) An adoption order shall not be made on the application of a married couple unless—

- (a) at least one of them is domiciled in a part of the United Kingdom, or in the Channel Islands or the Isle of Man, or
- (b) the application is for a Convention adoption order and [^{F9}the requirements of regulations under section 17 are] complied with.

^{F10}(3)

Textual Amendments

- F8** S. 14(1)–(1B) substituted (14.10.1991) for s. 14(1) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 88, **Sch. 10 para.4** (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, **art. 3(2)**
- F9** Words in s. 14(2) substituted (1.6.2003) by [Adoption \(Intercountry Aspects\) Act 1999 \(c. 18\)](#), s. 18(3), **Sch. 2 para. 3(1)** (with s. 17); S.I. 2003/189, **art. 2(2)(h)**
- F10** S. 14(3) repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), **Sch.15** (with [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, **art. 3(2)**

15 Adoption by one person.

(1) ^{F11} . . . An adoption order may be made on the application of one person where he has attained the age of 21 years and—

- (a) is not married, or
- (b) is married and the court is satisfied that—
 - (i) his spouse cannot be found, or
 - (ii) the spouses have separated and are living apart, and the separation is likely to be permanent, or
 - (iii) his spouse is by reason of ill-health, whether physical or mental, incapable of making an application for an adoption order.

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- (2) An adoption order shall not be made on the application of one person unless—
- (a) he is domiciled in a part of the United Kingdom, or in the Channel Islands or the Isle of Man, or
 - (b) the application is for a Convention adoption order and [^{F12}the requirements of regulations under section 17 are] complied with.
- (3) An adoption order shall not be made on the application of the mother or father of the child alone unless the court is satisfied that—
- (a) the other natural parent is dead or cannot be found [^{F13}or, by virtue of section 28 of the Human Fertilisation and Embryology Act 1990, there is no other parent], or
 - (b) there is some other reason justifying the exclusion of the other natural parent, and where such an order is made the reason justifying the exclusion of the other natural parent shall be recorded by the court.

^{F14}(4)

Textual Amendments

- F11** Words in s. 15(1) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108, **Sch. 15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**
- F12** Words in s. 15(2) substituted (1.6.2003) by Adoption (Intercountry Aspects) Act 1999 (c. 18), s. 18(3), **Sch. 2 para. 3(2)** (with s. 17); S.I. 2003/189, art. 2(2)(h)
- F13** Words in s. 15(3)(a) inserted (1.8.1991) by Human Fertilisation and Embryology Act 1990 (c. 37, SIF 83:1), s. 49(5), **Sch. 4 para.4** (with ss. 39(3), 43(2)); S.I. 1991/1400, **art.2(2)**
- F14** S. 15(4) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108, **Sch. 15**; (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

16 Parental agreement.

- (1) An adoption order shall not be made unless—
- (a) the child is free for adoption by virtue of an order made
 - ^{F15}(i) in England and Wales, under section 18;
 - (ii) in Scotland, under section 18 of the Adoption (Scotland) ^{M1}Act 1978; or
 - (iii) in Northern Ireland, under Article 17(1) or 18(1) of the Adoption (Northern Ireland) Order ^{M2}1987.]; or
 - (b) in the case of each parent or guardian of the child the court is satisfied that—
 - (i) he freely, and with full understanding of what is involved, agrees unconditionally to the making of an adoption order (whether or not he knows the identity of the applicants), or
 - (ii) his agreement to the making of the adoption order should be dispensed with on a ground specified in subsection (2).
- (2) The grounds mentioned in subsection (1)(b)(ii) are that the parent or guardian—
- (a) cannot be found or is incapable of giving agreement;
 - (b) is withholding his agreement unreasonably;
 - (c) has persistently failed without reasonable cause to discharge [^{F16}his parental responsibility for] the child;

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- (d) has abandoned or neglected the child;
- (e) has persistently ill-treated the child;
- (f) has seriously ill-treated the child (subject to subsection (5)).

^{F17}(3)

- (4) Agreement is ineffective for the purposes of subsection (1)(b)(i) if given by the mother less than six weeks after the child’s birth.
- (5) Subsection (2)(f) does not apply unless (because of the ill-treatment or for other reasons) the rehabilitation of the child within the household of the parent or guardian is unlikely.

Textual Amendments

- F15** S. 16(1)(i)–(iii) substituted (14. 10. 1991) for words in s. 16 (1) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, [Sch. 10 para.5\(1\)](#) (with Sch. 14 para. 1(1); S.I. 1991/828, [art.3\(2\)](#))
- F16** Words in s. 16(2) substituted (14. 10. 1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, [Sch. 10 para. 5\(2\)](#) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, [art. 3\(2\)](#))
- F17** S. 16(3) repealed (1.6.2003) by [Adoption \(Intercountry Aspects\) Act 1999 \(c. 18\)](#), s. 18(3), [Sch. 2 para. 3\(3\)](#), [3](#) (with s. 17); S.I. 2003/189, [art. 2\(2\)\(h\)\(i\)](#)

Modifications etc. (not altering text)

- C4** S. 16 applied (with modifications) (1.6.2003) by [The Intercountry Adoption \(Hague Convention\) Regulations 2003 \(S.I. 2003/118\)](#), regs. 1(1), 34, [Sch. 3](#) (with reg. 37)

Marginal Citations

- M1** [1978 c.28\(49:11\)](#).
- M2** [S.I. 1987/2203 \(N.I. 22\)](#).

[^{F18}17 Convention adoption orders.

An adoption order shall be made as a Convention adoption order if—

- (a) the application is for a Convention adoption order; and
- (b) such requirements as may be prescribed by regulations made by the Secretary of State are complied with.]

Textual Amendments

- F18** S. 17 substituted (1.6.2003 for specified purposes, 1.6.2003 in so far as not already in force) by [Adoption \(Intercountry Aspects\) Act 1999 \(c. 18\)](#), ss. [3](#), 18(3) (with s. 17); S.I. 2003/189, [art. 2\(1\)\(b\)\(2\)\(b\)](#)

Modifications etc. (not altering text)

- C5** S. 17 restricted (23.1.2003) by [1999 c. 18](#), ss. [16\(1\)](#), 18(3); S.I. 2003/189, [art. 2\(1\)\(a\)](#)

Status: Point in time view as at 01/06/2003.

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Freeing for adoption

18 Freeing child for adoption.

- (1) Where, on an application by an adoption agency, an authorised court is satisfied in the case of each parent or guardian of the child that—
 - (a) he freely, and with full understanding of what is involved, agrees generally and unconditionally to the making of an adoption order, or
 - (b) his agreement to the making of an adoption order should be dispensed with on a ground specified in section 16(2),
 the court shall make an order declaring the child free for adoption.
- (2) No application shall be made under subsection (1) unless—
 - (a) it is made with the consent of a parent or guardian of a child, or
 - (b) the adoption agency is applying for dispensation under subsection (1)(b) of the agreement of each parent or guardian of the child, and the child is in the care of the adoption agency.
- ^{F19}(2A) For the purposes of subsection (2) a child is in the care of an adoption agency if the adoption agency is a local authority and he is in their care.]
- (3) No agreement required under subsection (1)(a) shall be dispensed with under subsection (1)(b) unless the child is already placed for adoption or the court is satisfied that it is likely that the child will be placed for adoption.
- (4) An agreement by the mother of the child is ineffective for the purposes of this section if given less than 6 weeks after the child's birth.
- (5) On the making of an order under this section, ^{F20}parental responsibility for the child is given to] the adoption agency, and subsections (2) ^{F21}to (4)] of section 12 apply as if the order were an adoption order and the agency were the adopters.
- (6) Before making an order under this section, the court shall satisfy itself, in relation to each parent or guardian ^{F22}of the child who can be found], that he has been given an opportunity of making, if he so wishes, a declaration that he prefers not to be involved in future questions concerning the adoption of the child; and any such declaration shall be recorded by the court.
- ^{F23}(7) Before making an order under this section in the case of a child whose father does not have parental responsibility for him, the court shall satisfy itself in relation to any person claiming to be the father that—
 - (a) he has no intention of applying for—
 - (i) an order under section 4(1) of the Children Act 1989, or
 - (ii) a residence order under section 10 of that Act, or
 - (b) if he did make any such application, it would be likely to be refused.
- (8) Subsections (5) and (7) of section 12 apply in relation to the making of an order under this section as they apply in relation to the making of an order under that section.]

Textual Amendments

- F19** S. 18(2A) inserted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, [Sch. 10 para.6\(1\)](#) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

Status: Point in time view as at 01/06/2003.

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- F20** Words in s. 18(5) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para.6(2)** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- F21** Words in s. 18(5) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para. 6(2)**; (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- F22** Words substituted by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 9, **Sch. 2 para. 31**
- F23** S. 18(7)(8) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para.6(3)** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

Modifications etc. (not altering text)

- C6** S. 18 amended (14.10.1991) by Children Act 1989 (c. 41, SIF 20), **ss. 12(3)(a), 33(6)(b)(i), 108** (with Sch. 14 para 1(1)); S.I. 1991/828, **art. 3(2)**

19 Progress reports to former parent.

- (1) This section and section 20 apply to any person (“the former parent”) who was required to be given an opportunity of making a declaration under section 18(6) but did not do so.
- (2) Within the 14 days following the date 12 months after the making of the order under section 18 the adoption agency [^{F24}to which parental responsibility was given] on the making of the order, unless it has previously by notice to the former parent informed him that an adoption order has been made in respect of the child, shall by notice to the former parent inform him—
- (a) whether an adoption order has been made in respect of the child, and (if not)
 - (b) whether the child has his home with a person with whom he has been placed for adoption.
- (3) If at the time when the former parent is given notice under subsection (2) an adoption order has not been made in respect of the child, it is thereafter the duty of the adoption agency to give notice to the former parent of the making of an adoption order (if and when made), and meanwhile to give the former parent notice whenever the child is placed for adoption or ceases to have his home with a person with whom he has been placed for adoption.
- (4) If at any time the former parent by notice makes a declaration to the adoption agency that he prefers not to be involved in future questions concerning the adoption of the child—
- (a) the agency shall secure that the declaration is recorded by the court which made the order under section 18, and
 - (b) the agency is released from the duty of complying further with subsection (3) as respects that former parent.

Textual Amendments

- F24** Words in s. 19(2) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para.7** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

Status: Point in time view as at 01/06/2003.

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20 Revocation of s. 18 order.

- (1) The former parent, at any time more than 12 months after the making of the order under section 18 when—
 - (a) no adoption order has been made in respect of the child, and
 - (b) the child does not have his home with a person with whom he has been placed for adoption,
 may apply to the court which made the order for a further order revoking it on the ground that he wishes to resume [^{F25}parental responsibility].
- (2) While the application is pending the adoption agency having [^{F25}parental responsibility] shall not place the child for adoption without the leave of the court.
- [^{F26}(3) The revocation of an order under section 18 (“a section 18 order”) operates—
 - (a) to extinguish the parental responsibility given to the adoption agency under the section 18 order;
 - (b) to give parental responsibility for the child to—
 - (i) the child’s mother; and
 - (ii) where the child’s father and mother were married to each other at the time of his birth, the father; and
 - (c) to revive—
 - (i) any parental responsibility agreement,
 - (ii) any order under section 4(1) of the Children Act 1989, and
 - (iii) any appointment of a guardian in respect of the child (whether made by a court or otherwise),
 extinguished by the making of the section 18 order.
- (3A) Subject to subsection (3)(c), the revocation does not—
 - (a) operate to revive—
 - (i) any order under the Children Act 1989, or
 - (ii) any duty referred to in section 12(3)(b),
 extinguished by the making of the section 18 order; or
 - (b) affect any person’s parental responsibility so far as it relates to the period between the making of the section 18 order and the date of revocation of that order.]
- (4) Subject to subsection (5), if the application is dismissed on the ground that to allow it would contravene the principle embodied in section 6—
 - (a) the former parent who made the application shall not be entitled to make any further application under subsection (1) in respect of the child, and
 - (b) the adoption agency is released from the duty of complying further with section 19(3) as respects that parent.
- (5) Subsection (4)(a) shall not apply where the court which dismissed the application gives leave to the former parent to make a further application under subsection (1), but such leave shall not be given unless it appears to the court that because of a change in circumstances or for any other reason it is proper to allow the application to be made.

Status: Point in time view as at 01/06/2003.

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Textual Amendments

- F25** Words in s. 20(1)(2) substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, [Sch. 10 para.8\(1\)](#) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, [art. 3\(2\)](#)
- F26** S. 20(3)(3A) substituted (14.10.1991) for s. 20(3) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, [Sch. 10 para.8\(2\)](#) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

[^{F27}21 Variation of section 18 order so as to substitute one adoption agency for another.

- (1) On an application to which this section applies, an authorised court may vary an order under section 18 so as to give parental responsibility for the child to another adoption agency (the substitute agency”) in place of the agency for the time being having parental responsibility for the child under the order (“the existing agency”).
- (2) This section applies to any application made jointly by—
 - (a) the existing agency; and
 - (b) the would-be substitute agency.
- (3) Where an order under section 18 is varied under this section, section 19 shall apply as if the substitute agency had been given responsibility for the child on the making of the order.]

Textual Amendments

- F27** S. 21 substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 88, [Sch. 10 para.9](#) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

Supplemental

[^{F28}22 Notification to local authority of adoption application.

- (1) An adoption order shall not be made in respect of a child who was not placed with the applicant by an adoption agency unless the applicant has, at least 3 months before the date of the order, given notice to the local authority within whose area he has his home of his intention to apply for the adoption order.
[An application for such an adoption order shall not be made unless the person wishing
^{F29}(1A) to make the application has, within the period of two years preceding the making of the application, given notice as mentioned in subsection (1).
- (1B) In subsections (1) and (1A) the references to the area in which the applicant or person has his home are references to the area in which he has his home at the time of giving the notice.]
- (2) On receipt of such a notice the local authority shall investigate the matter and submit to the court a report of their investigation.
- (3) Under subsection (2), the local authority shall in particular investigate,—
 - (a) so far as is practicable, the suitability of the applicant, and any other matters relevant to the operation of section 6 in relation to the application; and
 - (b) whether the child was placed with the applicant in contravention of section 11.

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- (4) A local authority which [^{F30}receive] notice under subsection (1) in respect of a child whom the authority know to be [^{F31}looked after by] another local authority shall, not more than 7 days after the receipt of the notice, inform that other local authority in writing, that they have received the notice.]

Textual Amendments

- F28** S. 22 repealed (S.) by [Adoption \(Scotland\) Act 1978 \(c. 28, SIF 49:11\)](#), s. 66, Sch. 2 paras. 3, 5, **Sch. 4**
- F29** S. 22(1A)(1B) inserted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, **Sch. 10 para. 10(1)** (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, **art. 3(2)**
- F30** Word in s. 22(4) substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, **Sch. 10 para. 10(2)** (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, **art. 3(2)**
- F31** Words in s. 22(4) substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, **Sch. 10 para. 10(2)** (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, **art. 3(2)**

Modifications etc. (not altering text)

- C7** S. 22 applied (with modifications) (1.6.2003) by [The Intercountry Adoption \(Hague Convention\) Regulations 2003 \(S.I. 2003/118\)](#), regs. 1(1), 34, **Sch. 3** (with reg. 37)

[^{F32}23 Reports where child placed by agency.

Where an application for an adoption order relates to a child placed by an adoption agency, the agency shall submit to the court a report on the suitability of the applicants and any other matters relevant to the operation of section 6, and shall assist the court in any manner the court may direct.]

Textual Amendments

- F32** S. 23 repealed (S.) by [Adoption \(Scotland\) Act 1978 \(c. 28, SIF 49:11\)](#), s. 66, Sch. 2 paras. 3, 5, **Sch. 4**

24 Restrictions on making adoption orders.

- (1) The court shall not proceed to hear an application for an adoption order in relation to a child where a previous application for a British adoption order made in relation to the child by the same persons was refused by any court unless—
- in refusing the previous application the court directed that this subsection should not apply, or
 - it appears to the court that because of a change in circumstances or for any other reason it is proper to proceed with the application.
- (2) The court shall not make an adoption order in relation to a child unless it is satisfied that the applicants have not, as respects the child, [^{F33}contravened] section 57.

Textual Amendments

- F33** Word substituted by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), s. 9, **Sch. 2 para. 32**

Status: Point in time view as at 01/06/2003.

Changes to legislation: Adoption Act 1976, Part II is up to date with all changes known to be in force on or before 27 June 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)

25 Interim orders.

- (1) Where on an application for an adoption order the requirements of sections 16(1) and 22(1) are complied with, the court may postpone the determination of the application and make an order [^{F34}giving parental responsibility for the child to] in the applicants for a probationary period not exceeding 2 years upon such terms for the maintenance of the child and otherwise as the court thinks fit.
- (2) Where the probationary period specified in an order under subsection (1) is less than 2 years, the court may by a further order extend the period to a duration not exceeding 2 years in all.

Textual Amendments

F34 Words in s. 25(1) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), ss. 88, 108, **Sch. 10 para.11** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

^{F35}**26**

Textual Amendments

F35 S. 26 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108, **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Status:

Point in time view as at 01/06/2003.

Changes to legislation:

Adoption Act 1976, Part II is up to date with all changes known to be in force on or before 27 June 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.