

*Status: Point in time view as at 10/03/2003.*

*Changes to legislation: Adoption Act 1976, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 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)*

## SCHEDULES

### SCHEDULE 1

#### REGISTRATION OF ADOPTIONS

##### *Registration of adoption orders*

- 1 (1) Every adoption order shall contain a direction to the Registrar General to make in the Adopted Children Register an entry in such form as the Registrar General may by regulations specify.
- (2) [<sup>F1</sup>The direction contained in a Convention adoption order in pursuance of this paragraph shall include an instruction that the entry made in that register in consequence of the order shall be marked with the words “Convention order”.]
- (3) Where on an application to a court for an adoption order in respect of a child (not being a child who has previously been the subject of an adoption order made by a court in England or Wales under this Act or any enactment at the time in force) there is proved to the satisfaction of the court the identity of the child with a child to whom an entry in the Registers of Births relates, any adoption order made in pursuance of the application shall contain a direction to the Registrar General to cause the entry in the Registers of Births to be marked with the word “Adopted”.
- (4) Where an adoption order is made in respect of a child who has previously been the subject of an adoption order made by a court in England or Wales under this Act or any enactment at the time in force, the order shall contain a direction to the Registrar General to cause the previous entry in the Adopted Children Register to be marked with the word “Re-adopted”.
- (5) Where an adoption order is made, the prescribed officer of the court which made the order shall cause the order to be communicated in the prescribed manner to the Registrar General, and upon receipt of the communication the Registrar General shall cause compliance to be made with the directions contained in the order.

#### **Textual Amendments**

- F1** Sch. 1 para. 1(2) repealed (23.1.2003 for specified purposes, 1.6.2003 in so far as not already in force) by Adoption (Intercountry Aspects) Act 1999 (c. 18), ss. 12(2), 18(3), **Sch. 3** (with s. 17); S.I. 2003/189, art. 2(1)(b), (2)(f)

##### *Registration of adoptions in Scotland, Northern Ireland, the Isle of Man and the Channel Islands*

- 2 (1) Where the Registrar General is notified by the Registrar General for Scotland that an adoption order has been made by a court in Scotland in respect of a child to whom an entry in the Registers of Births or the Adopted Children Register relates, the Registrar General shall cause the entry to be marked “Adopted (Scotland)” or, as the case

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may be, “Re-adopted (Scotland)”; and where, after an entry has been so marked, the Registrar General is notified as aforesaid that the adoption order has been quashed, or that an appeal against the adoption order has been allowed, he shall cause the marking to be cancelled.

- (2) Where the Registrar General is notified by the authority maintaining a register of adoptions in Northern Ireland, the Isle of Man or any of the Channel Islands that an order has been made in that country authorising the adoption of a child to whom an entry in the Registers of Births or the Adopted Children Register relates, he shall cause the entry to be marked with the word “Adopted” or “Re-adopted”, as the case may require, followed by the name, in brackets, of the country in which the order was made.
- (3) Where, after an entry has been so marked, the Registrar General is notified as aforesaid that the order has been quashed, that an appeal against the order has been allowed or that the order has been revoked, he shall cause the marking to be cancelled; and a copy or extract of an entry in any register, being an entry the marking of which is cancelled under this sub-paragraph, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.
- (4) The preceding provisions of this paragraph shall apply in relation to orders corresponding to orders under section 55 as they apply in relation to orders authorising the adoption of a child; but any marking of an entry required by virtue of this sub-paragraph shall consist of the words “proposed foreign adoption” or as the case may require, “proposed foreign re-adoption” followed by the name in brackets of the country in which the order was made.
- (5) Without prejudice to sub-paragraphs (2) and (3) where, after an entry in the Registers of Births has been marked in accordance with this paragraph, the birth is re-registered under section 14 of the <sup>M1</sup>Births and Deaths Registration Act 1953 (re-registration of births of legitimated children) the entry made on the re-registration shall be marked in the like manner.

#### Marginal Citations

M1 1953 c. 20 (105)

#### *Registration of foreign adoptions*

- [<sup>F23</sup> (1) If the Registrar General is satisfied, on an application under this paragraph, that he has sufficient particulars relating to a child adopted under a registrable foreign adoption to enable an entry to be made in the Adopted Children Register for the child—
- (a) he must make the entry accordingly, and
  - (b) if he is also satisfied that an entry in the Registers of Births relates to the child, he must secure that the entry in those Registers is marked “Adopted” or “Re-adopted”, as the case may be, followed by the name in brackets of the country in which the adoption was effected.
- (2) An entry made in the Adopted Children Register by virtue of this paragraph must be made in the specified form.

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- (3) An application under this paragraph must be made, in the specified manner, by a specified person and give the specified particulars.
- (4) In this paragraph—  
“registrable foreign adoption” means a Convention or overseas adoption which satisfies specified requirements;  
“specified” means specified by regulations made by the Registrar General.]

#### Textual Amendments

- F2** Sch. 1 para. 3 substituted (23.1.2003 for specified purposes, 1.6.2003 in so far as not already in force) by [Adoption \(Intercountry Aspects\) Act 1999 \(c. 18\)](#), ss. **12(3)**, **18(3)** (with s. 17); S.I. 2003/189, art. 2(1)(b), (2)(f)

#### *Amendment of orders and rectification of Registers*

- 4 (1) The court by which an adoption order has been made may, on the application of the adopter or of the adopted person, amend the order by the correction of any error in the particulars contained therein, and may—
- (a) if satisfied on the application of the adopter or the adopted person that within one year beginning with the date of the order any new name has been given to the adopted person (whether in baptism or otherwise), or taken by him, either in lieu of or in addition to a name specified in the particulars required to be entered in the Adopted Children Register in pursuance of the order, amend the order by substituting or adding that name in those particulars, as the case may require;
- (b) if satisfied on the application of any person concerned that a direction for the marking of an entry in the Registers of Births or the Adopted Children Register included in the order in pursuance of sub-paragraph (3) or (4) of paragraph 1 was wrongly so included, revoke that direction.
- (2) Where an adoption order is amended or a direction revoked under sub-paragraph (1), the prescribed officer of the court shall cause the amendment to be communicated in the prescribed manner to the Registrar General who shall as the case may require—
- (a) cause the entry in the Adopted Children Register to be amended accordingly;  
or
- (b) cause the marking of the entry in the Registers of Births or the Adopted Children Register to be cancelled.
- (3) Where an adoption order is quashed or an appeal against an adoption order allowed by any court, the court shall give directions to the Registrar General to cancel any entry in the Adopted Children Register, and any marking of an entry in that Register, or the Registers of Births as the case may be, which was effected in pursuance of the order.
- (4) Where an adoption order has been amended, any certified copy of the relevant entry in the Adopted Children Register which may be issued pursuant to subsection (3) of section 50 shall be a copy of the entry as amended, without the reproduction of any note or marking relating to the amendment or of any matter cancelled pursuant thereto; and a copy or extract of an entry in any register, being an entry the marking

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of which has been cancelled, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.

(5) If the Registrar General is satisfied—

- (a) that<sup>F3</sup> a Convention adoption,] a Convention adoption order or an overseas adoption has ceased to have effect, whether on annulment or otherwise; or
- (b) that any entry or mark was erroneously made in pursuance of paragraph 3 in any register mentioned in that paragraph,

he may cause such alterations to be made in any such register as he considers are required in consequence of the cesser or to correct the error; and where an entry in such a register is amended in pursuance of this sub-paragraph, any copy or extract of the entry shall be deemed to be accurate if and only if it shows the entry as amended but without indicating that it has been amended.

(6) In relation to an adoption order made by a magistrates' court, the reference in sub-paragraph (1) to the court by which the order has been made includes a reference to a court acting for the same petty sessions area.

#### Textual Amendments

- F3** Words in Sch. 1 para. 4(5)(a) inserted (23.1.2003 for specified purposes, 1.6.2003 in so far as not already in force) by [Adoption \(Intercountry Aspects\) Act 1999 \(c. 18\), ss. 12\(4\), 18\(3\)](#) (with s. 17); S.I. 2003/189, art. 2(1)(b), (2)(f)

#### *Marking of entries on re-registration of birth on legitimation*

- 5 (1) Without prejudice to section 52, where, after an entry in the Registers of Births has been marked with the word “Adopted” (with or without the addition of the word “(Scotland)”), the birth is re-registered under section 14 of the <sup>M2</sup>Births and Deaths Registration Act 1953 (re-registration of births of legitimated persons) the entry made on the re-registration shall be marked in the like manner.
- (2) Without prejudice to paragraph 4(5), where an entry in the Registers of Births is marked in pursuance of paragraph 3 and the birth in question is subsequently re-registered under the said section 14, the entry made on re-registration shall be marked in the like manner.

#### Marginal Citations

- M2** 1953 c. 20 (105)

#### *Cancellations in Registers on legitimation*

- 6 Where an adoption order, . . . <sup>F4</sup> is revoked under section 52(1) or (2) the prescribed officer of the court shall cause the revocation to be communicated in the prescribed manner to the Registrar General who shall cause to be cancelled—
- (a) the entry in the Adopted Children Register relating to the adopted person; and
  - (b) the marking with the word “Adopted” (or, as the case may be, with that word and the word “(Scotland)”) if any entry relating to him in the Registers of Births;

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and a copy or extract of an entry in any register, being an entry the marking of which is cancelled under this section, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.

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**Textual Amendments**

- F4** Words repealed by [Domestic Proceedings and Magistrates' Courts Act 1978 \(c. 22, SIF 49:3\)](#), ss. 72(2), 89, Schs. 1, 3

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