



# Adoption Act 1976

## 1976 CHAPTER 36

### PART V

#### REGISTRATION AND REVOCATION OF ADOPTION ORDERS AND CONVENTION ADOPTIONS

#### **54 Provisions supplementary to ss. 52(3) and 53**

- (1) Any application for an order under section 52(3) or 53 or a decision under section 53(3) shall be made in the prescribed manner and within such period, if any, as may be prescribed.
- (2) No application shall be made under section 52(3) or section 53(1) in respect of an adoption unless immediately before the application is made the person adopted or the adopter habitually resides in England and Wales or, as the case may be, both adopters habitually reside there.
- (3) In deciding in pursuance of section 53 whether such an authority as is mentioned in section 59 was competent to entertain a particular case, a court shall be bound by any finding of fact made by the authority and stated by the authority to be so made for the purpose of determining whether the authority was competent to entertain the case.

- (4) In section 53—

"determination" means such a determination as is mentioned in section 59 of this Act;

"notified provision" means a provision specified in an order of the Secretary of State as one in respect of which a notification to or by the Government of the United Kingdom was in force at the relevant time in pursuance of the provisions of the Convention relating to prohibitions contained in the national law of the adopter; and

"relevant time" means the time when the adoption in question purported to take effect under the law of the country in which it purports to have been effected.