

*Status: Point in time view as at 06/04/2010.*

*Changes to legislation: Adoption and Children Act 2002, Paragraph 4 is up to date with all changes known to be in force on or before 22 August 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

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

- 4 (1) The court by which an adoption order has been made may, on the application of the adopter or the adopted person, amend the order by the correction of any error in the particulars contained in it.
- (2) The court by which an adoption order has been made may, if satisfied on the application of the adopter or the adopted person that within the period of one year beginning with the date of the order any new name—
- (a) has been given to the adopted person (whether in baptism or otherwise), or
  - (b) has been taken by the adopted person,
- either in place 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, as the case may be, adding that name in those particulars.
- (3) The court by which an adoption order has been made may, if satisfied on the application of any person concerned that a direction for the marking of an entry in the registers of live-births, the Adopted Children Register or other records included in the order in pursuance of paragraph 1(2) or (3) was wrongly so included, revoke that direction.
- (4) Where an adoption order is amended or a direction revoked under sub-paragraphs (1) to (3), the prescribed officer of the court must communicate the amendment in the prescribed manner to the Registrar General.
- “Prescribed” means prescribed by rules.
- (5) The Registrar General must then—
- (a) amend the entry in the Adopted Children Register accordingly, or
  - (b) secure that the marking of the entry in the registers of live-births, the Adopted Children Register or other records is cancelled,
- as the case may be.
- (6) Where an adoption order is quashed or an appeal against an adoption order allowed by any court, the court must give directions to the Registrar General to secure that—
- (a) any entry in the Adopted Children Register, and
  - (b) any marking of an entry in that Register, the registers of live-births or other records as the case may be, which was effected in pursuance of the order,
- is cancelled.

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- (7) 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 section 78(2)(b) must be a copy of the entry as amended, without the reproduction of—
- (a) any note or marking relating to the amendment, or
  - (b) any matter cancelled in pursuance of it.
- (8) A copy or extract of an entry in any register or other record, being an entry the marking of which has been cancelled, is not to be treated as an accurate copy unless both the marking and the cancellation are omitted from it.
- (9) If the Registrar General is satisfied—
- (a) that a registrable foreign 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 the Adopted Children Register, the registers of live-births, the overseas registers of births or other records,
- he may secure that such alterations are made in those registers or other records as he considers are required in consequence of the adoption ceasing to have effect or to correct the error.
- “Overseas register of births” has the same meaning as in paragraph 3.
- (10) Where an entry in such a register is amended in pursuance of sub-paragraph (9), any copy or extract of the entry is not to be treated as accurate unless it shows the entry as amended but without indicating that it has been amended.

**Modifications etc. (not altering text)**

- C1** Sch. 1 para. 4 applied (with modifications) (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\)](#), regs. 1(1), 2, **Sch. 1**

**Commencement Information**

- II** Sch. 1 para. 4 in force at 30.12.2005 by [S.I. 2005/2213](#), **art. 2(e)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

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