



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 2

THE ADOPTION SERVICE

Supplemental

16 Distribution of functions in relation to registered adoption societies

After section 36 of the Care Standards Act 2000 (c. 14) there is inserted—

“36A Voluntary adoption agencies: distribution of functions

- (1) This section applies to functions relating to voluntary adoption agencies conferred on the registration authority by or under this Part or under Chapter 2 of Part 1 of the Adoption and Children Act 2002.
- (2) Subject to the following provisions, functions to which this section applies are exercisable—
 - (a) where the principal office of an agency is in England, by the Commission,
 - (b) where the principal office of an agency is in Wales, by the Assembly.
- (3) So far as those functions relate to the imposition, variation or removal of conditions of registration, they may only be exercised after consultation with the Assembly or (as the case may be) the Commission.
- (4) But—

Status: This is the original version (as it was originally enacted).

- (a) where such a function as is mentioned in subsection (3) is exercisable by the Commission in relation to an agency which has a branch in Wales, it is exercisable only with the agreement of the Assembly,
 - (b) where such a function as is mentioned in subsection (3) is exercisable by the Assembly in relation to an agency which has a branch in England, it is exercisable only with the agreement of the Commission.
- (5) The functions conferred on the registration authority by sections 31 and 32 of this Act in respect of any premises of a voluntary adoption agency are exercisable—
- (a) where the premises are in England, by the Commission
 - (b) where the premises are in Wales, by the Assembly.
- (6) In spite of subsections (2) to (5), regulations may provide for any function to which this section applies to be exercisable by the Commission instead of the Assembly, or by the Assembly instead of the Commission, or by one concurrently with the other, or by both jointly or by either with the agreement of or after consultation with the other.
- (7) In this section, “regulations” means regulations relating to England and Wales.”