



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 1

#### ADOPTION

### CHAPTER 3

#### PLACEMENT FOR ADOPTION AND ADOPTION ORDERS

##### *The making of adoption orders*

#### **51 Adoption by one person**

- (1) An adoption order may be made on the application of one person who has attained the age of 21 years and is not married.
- (2) An adoption order may be made on the application of one person who has attained the age of 21 years if the court is satisfied that the person is the partner of a parent of the person to be adopted.
- (3) An adoption order may be made on the application of one person who has attained the age of 21 years and is married if the court is satisfied that—
  - (a) the person's spouse cannot be found,
  - (b) the spouses have separated and are living apart, and the separation is likely to be permanent, or
  - (c) the person's spouse is by reason of ill-health, whether physical or mental, incapable of making an application for an adoption order.
- (4) An adoption order may not be made on an application under this section by the mother or the father of the person to be adopted unless the court is satisfied that—
  - (a) the other natural parent is dead or cannot be found,
  - (b) by virtue of section 28 of the Human Fertilisation and Embryology Act 1990 (c. 37), there is no other parent, or

**Status:** *This is the original version (as it was originally enacted).*

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- (c) there is some other reason justifying the child's being adopted by the applicant alone,
- and, where the court makes an adoption order on such an application, the court must record that it is satisfied as to the fact mentioned in paragraph (a) or (b) or, in the case of paragraph (c), record the reason.