



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 2

THE ADOPTION SERVICE

The Adoption Service

7 Inactive or defunct adoption societies etc.

- (1) This section applies where it appears to the appropriate Minister that—
 - (a) a body which is or has been a registered adoption society is inactive or defunct, or
 - (b) a body which has ceased to be a registered adoption society by virtue of the cancellation of its registration under Part 2 of the Care Standards Act 2000 ^[F1] or Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016] has not made such arrangements for the transfer of its functions relating to children as are specified in a direction given by him.
- (2) The appropriate Minister may, in relation to such functions of the society as relate to children, direct what appears to him to be the appropriate local authority to take any such action as might have been taken by the society or by the society jointly with the authority.
- (3) A local authority are entitled to take any action which—
 - (a) apart from this subsection the authority would not be entitled to take, or would not be entitled to take without joining the society in the action, but
 - (b) they are directed to take under subsection (2).

Changes to legislation: Adoption and Children Act 2002, Section 7 is up to date with all changes known to be in force on or before 03 July 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) View outstanding changes

- (4) The appropriate Minister may charge the society for expenses necessarily incurred by him or on his behalf in securing the transfer of its functions relating to children.
- (5) Before giving a direction under subsection (2) the appropriate Minister must, if practicable, consult both the society and the authority.

Textual Amendments

- F1** Words in s. 7(1)(b) inserted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2019 \(S.I. 2019/772\)](#), regs. 1(2), **17**
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Commencement Information

- I1** S. 7 in force at 30.12.2005 for E. by [S.I. 2005/2213](#), **art. 3(d)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)
- I2** S. 7 in force at 30.12.2005 for W. by [S.I. 2005/3112](#), **art. 2(b)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2014 c. 6 s. 5](#)
- s. 141(7) inserted by [2010 c. 26 Sch. 3 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; [S.I. 2013/2200 art. 2\(a\)](#))