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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Adoption Agencies Regulations 1983. They come into force on 1st July 1997, except for regulation 2(4) insofar as it inserts regulations 5(1) to (4) and (6), 5A and 5B in the Adoption Agencies Regulations which come into force on 1st November 1997 (regulation 1(2)).

They make provision for the membership of adoption panels and for the tenure of office of members. In particular, they provide for the appointment of a vice-chairman (as well as the chairman) of the panel, for the panel to include at least three independent persons including where practicable, an adoptive parent or adopted person, for a written record of the panel's reasons for its recommendations, and for the establishment of a joint panel by no more than 3 local authorities where appropriate. They provide for a maximum 3 year term of office for members and for their eligibility for one consecutive re-appointment. They also provide for the cessation of membership of panels established before 1st November 1997 and for the establishment of new panels from that date (regulation 2(4)).

They require the agency to send to prospective adopters for their observations a copy of any assessment of their suitability to be adoptive parents prepared for the panel for their observations (regulation 2(6)), and establish a new procedure whereby prospective adopters whom the agency considers not suitable to be adoptive parents must be notified of the agency's reasons and given an opportunity to make representations before the agency reaches its decision (regulation 2(10)).

They also require the agency to notify a child's parents of their intention to place the child for adoption, to make appointments for the regular examination and assessment by a registered medical practitioner of the child's health, to carry out regular reviews of the child's placement until such time as an application for an adoption order is made, and make provision as to the conduct of such reviews, the matters to be taken into account and the persons to whom details of the review and any consequential decisions should be sent (regulation 2(11) and (20)).

They make provision for information about the child to be given by the agency to the adopters once the adoption order has been made and for the adopters to be advised that the information should be made available to the child no later than his 18th birthday (regulation 2(13)); for preserving adoption records, etc., and minimising the risk of damage from fire or water (regulation 2(14)); for the disclosure of confidential records to persons appointed by the adoption agency to consider complaints (regulation 2(15)); and for the exchange of information between agencies where responsibility for the child is being transferred (regulation 2(16)).

They also amend the Schedule to provide for any special health or educational needs of the child to be identified and for consideration to be given to how those needs are to be met (regulation 2(17) and (18)) and make consequential amendments to the Arrangements for Placement (General) Regulations 1991 (regulation 3).

[The other amendments are of a minor or consequential nature (regulation 2(2), (3), (5), (7) to (9), (12) and (19)).