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STATUTORY INSTRUMENTS

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**2003 No. 118**

**The Intercountry Adoption (Hague Convention) Regulations 2003**

**PART 1**

*General*

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Intercountry Adoption (Hague Convention) Regulations 2003 and shall come into force on 1st June 2003.

(2) These Regulations apply to England and Wales only.

**Interpretation**

2. In these Regulations—

“the 1976 Act” means the Adoption Act 1976;

“the 1999 Act” means the Adoption (Intercountry Aspects) Act 1999;

“the Adoption Agencies Regulations” means the Adoption Agencies Regulations 1983(1) subject to the modifications set out in Schedule 4;

“adoption agency” means a local authority or an appropriate voluntary organisation which is an accredited body for the purposes of the Convention(2);

“adoption panel” has the same meaning as in the Adoption Agencies Regulations;

“CA of the receiving State” means, in relation to a Convention country(3) other than the United Kingdom, the Central Authority of the receiving State;

“CA of the State of origin” means, in relation to a Convention country other than the United Kingdom, the Central Authority of the State of origin;

“contact order” has the meaning given in section 8(1) of the Children Act 1989(4);

“eligible to adopt”, except in regulation 8(4)(a), has the meaning given in regulation 4;

“prospective adopter” means a married couple or a person who makes an application under regulation 3;

“receiving State” has the same meaning as in Article 2 of the Convention;

“relevant Central Authority”(5) means—

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(1) [S.I.1983 No. 1964](#); relevant amending instruments are [S.I.1997/649](#) and [2308](#), [2001/2992](#) and [2002/2469](#) and [3220](#).

(2) See section 2(2A) of the 1999 Act as amended by section 116 of, Schedule 4 paragraph 27 to the Care Standards Act 2000. The term “Convention” is defined in section 72(1) of the 1976 Act as amended by section 8 of the 1999 Act.

(3) The term “Convention country” is defined in section 72(1) of the 1976 Act as amended by section 8 of the 1999 Act.

(4) [1989 c. 41](#).

(5) Under section 2(1) of the 1999 Act, the functions under the Convention of the Central Authority are to be discharged in relation to England by the Secretary of State and in relation to Wales by the National Assembly for Wales.

- (a) in Part 2—
    - (i) in relation to a prospective adopter who is habitually resident in England, the Secretary of State; and
    - (ii) in relation to a prospective adopter who is habitually resident in Wales, the National Assembly for Wales; and
  - (b) in Part 3—
    - (i) in relation to a local authority in England, the Secretary of State; and
    - (ii) in relation to a local authority in Wales, the National Assembly for Wales;
- “relevant local authority” in Part 2 has the meaning given in regulation 15;  
“State of origin” has the same meaning as in article 2 of the Convention.