
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for restrictions on the preparation of adoption reports for the purposes of section 94(1) of the Adoption and Children Act 2002 (“the Act”).

Regulation 3 provides that a person is within a prescribed description for the purposes of section 94(1) of the Act if he is a social worker employed by or acting on behalf of an adoption agency and satisfies the appropriate conditions in paragraph (2) or he is a person who is participating in a social work course and is employed by or placed with an adoption agency as part of that course and satisfies the condition in paragraph 2(b).

Regulation 4 provides that the prescribed circumstances for the purposes of section 94(1) of the Act are the preparation of reports for specified purposes of, as the case may be, the Adoption Agencies Regulations 2005, any corresponding provision made by the National Assembly for Wales under section 9 of the Act, or the Adoptions with a Foreign Element Regulations 2005, the preparation of pre-adoption and post-adoption reports in intercountry adoption cases and reports in accordance with section 43 or 44(5), or for the purposes of section 84(1), of the Act.

A regulatory impact assessment has been prepared for these Regulations and a copy has been placed in the library of each House of Parliament. Copies of the Regulatory Impact Assessment can be obtained from the Department for Education and Skills' website <http://www.dfes.gov.uk/ria/>.