
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the ninth Commencement Order made under the Adoption and Children Act 2002 (“the Act”).

Article 2 brings into force on 30th December 2005 the following provisions of the Act—

- section 1 (considerations applying to the exercise of powers);
- section 3(1), (2), (5) and (6) (maintenance of Adoption Service);
- sections 18 to 27 (1), (2), (4) and (5), 28 to 43, 44, 46 to 52, 53(4) to (6) and 55 (placement for adoption and adoption orders);
- sections 66 to 76 (status of adopted children);
- sections 77 to 82 and Schedules 1 and 2 (the Registers);
- sections 83 to 91 (adoptions with a foreign element);
- sections 92 to 97 (restrictions);
- sections 99 to 101 (proceedings);
- sections 102 and 103 (officers of the Service),
- section 104 (evidence);
- sections 105 to 107 (Scotland, Northern Ireland and the Islands);
- sections 109 and 110 (avoiding delay and service of notice);
- sections 112 to 115, 117, 121 and 122 (amendments to the Children Act 1989);
- sections 123 and 124 (advertisements in the United Kingdom);
- section 138 (proceedings in Great Britain);
- section 137 (extension of the Hague Convention to British overseas territories);
- paragraphs 1 to 5, 9 to 12, 14 to 20, 36 to 43, 45 to 52, 54 to 59, 60 to 64, 67 to 81, 85 to 93, 95 to 99, 101 to 104, 107 to 110 and 114 to 117 of, and section 139(1) to Schedule 3 to the Act (minor and consequential amendments) in so far as it relates to those paragraphs;

Sections 123 and 124 extend to England, Wales, Scotland and Northern Ireland. Section 138 extends to England, Wales and Scotland. Section 137(1) and (2) extends to the British overseas territories and, the British Nationality Act 1981 which is amended by that section extends to the United Kingdom, Channel Islands and the Isle of Man. The amendments provided for in Schedule 3 to the Act and commenced by article 2 of this Order have the same extent as the enactment to which it relates. All other provisions in article 2 extend to England and Wales.

Article 3 brings into force on 30th December 2005 the following provisions of the Act in relation to England—

- section 3(3) and (4) (maintenance of Adoption Service);
- section 4 (assessments etc. for adoption support services);
- section 6 (arrangements on cancellation of registration);
- section 7 (inactive or defunct adoption societies etc.);
- section 8 (adoption support agencies);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

section 12 (independent review mechanism);
sections 13 to 16 (supplemental provisions in respect of adoption agencies);
sections 56 to 62 (disclosure); and
paragraphs 13, 65, 111 to 113 of Schedule 3 of and section 139(1) to the Act (minor and consequential amendments) in so far as it relates to those paragraphs.