

---

STATUTORY INSTRUMENTS

---

**2005 No. 389**

**The Adoption Agencies Regulations 2005**

[<sup>F1</sup>PART 4

Duties of Adoption Agency in Respect of a Prospective Adopter

*Stage 2 – the assessment decision*

[<sup>F1</sup>Review and termination of approval

**30D.**—(1) The adoption agency must review the approval of each prospective adopter in accordance with this regulation, unless—

- (a) in a section 83 case, the prospective adopter has visited the child in the country in which the child is habitually resident and has confirmed in writing that they wish to proceed with the adoption; and
- (b) in any other case, a child is placed for adoption with the prospective adopter or the agency is considering placing a child with the prospective adopter in accordance with regulations 31 to 33.

(2) A review must take place whenever the adoption agency considers it necessary but otherwise not more than one year after approval and thereafter at intervals of not more than one year.

(3) When undertaking such a review the adoption agency must—

- (a) make such enquiries and obtain such information as it considers necessary in order to review whether the prospective adopter continues to be suitable to adopt a child; and
- (b) seek and take into account the views of the prospective adopter.

(4) If, at the conclusion of the review, the adoption agency considers that the prospective adopter may no longer be suitable to adopt a child, it must—

- (a) prepare a written report (“the prospective adopter’s review report”) which includes the agency’s reasons;
- (b) [<sup>F2</sup>decide whether or not to refer the case to the adoption panel and, where applicable,] notify the prospective adopter that the case is to be referred to the adoption panel; and
- (c) give the prospective adopter a copy of the report inviting the prospective adopter to send any observations to the agency within 10 working days beginning with the date on which that report is given to the prospective adopter.

(5) At the end of the period of 10 working days referred to in paragraph (4)(c) (or earlier if the prospective adopter’s comments are received before that period has expired), the adoption agency must [<sup>F3</sup>, where applicable,] send the prospective adopter’s review report together with the prospective adopter’s observations to the adoption panel.

(6) The adoption agency must obtain, so far as is reasonably practicable, any other relevant information which may be required by the adoption panel and send that information to the panel.

---

**Status:** Point in time view as at 25/09/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005, Section 30D. (See end of Document for details)

---

(7) The adoption panel must consider the prospective adopter's review report, the prospective adopter's observations and any other information passed to it by the adoption agency and make a recommendation to the agency as to whether the prospective adopter continues to be suitable to adopt a child.

(8) The adoption agency must make a decision as to whether the prospective adopter continues to be suitable to adopt a child and regulation 30B(2) to (11) apply in relation to that decision by the agency.]

---

#### **Textual Amendments**

- F1** Pt. 4 substituted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), regs. 1, **5**
- F2** Words in reg. 30D(4)(b) inserted (temp.) (24.4.2020) by virtue of [The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/445\)](#), regs. 1(2), **4(12)(a)** (with Pts. 12, 13)
- F3** Words in reg. 30D(5) inserted (temp.) (24.4.2020) by virtue of [The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/445\)](#), regs. 1(2), **4(12)(b)** (with Pts. 12, 13)
- 

#### **Modifications etc. (not altering text)**

- C1** Reg. 30D applied by [S.I. 2005/392](#), **reg. 17** (as amended (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), reg. 1, **Sch. para. 2(8)**)

**Status:**

Point in time view as at 25/09/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Adoption Agencies Regulations 2005, Section 30D.