
STATUTORY INSTRUMENTS

2005 No. 392

The Adoptions with a Foreign Element Regulations 2005

PART 3

ADOPTIONS UNDER THE CONVENTION

CHAPTER 1

**REQUIREMENTS, PROCEDURE, RECOGNITION AND EFFECT OF
ADOPTIONS WHERE THE UNITED KINGDOM IS THE RECEIVING STATE**

Requirements applicable in respect of eligibility and suitability

13.—(1) A couple or a person who wishes to adopt a child habitually resident in a Convention country outside the British Islands shall—

- (a) apply in writing to an adoption agency for a determination of eligibility, and an assessment of his suitability, to adopt; and
- (b) give the agency any information it may require for the purposes of the assessment.

(2) An adoption agency may not consider an application under paragraph (1) unless at the date of that application—

- (a) in the case of an application by a couple, they have both—
 - (i) attained the age of 21 years; and
 - (ii) been habitually resident in a part of the British Islands for a period of not less than one year ending with the date of application; and
- (b) in the case of an application by one person, he has—
 - (i) attained the age of 21 years; and
 - (ii) been habitually resident in a part of the British Islands for a period of not less than one year ending with the date of application.