

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**

Applicable requirements in respect of an adoption agency before the child enters the United Kingdom

22. Where the adoption agency is informed by the relevant Central Authority that the agreement under Article 17(c) of the Convention has been made and the adoption may proceed, before the child enters the United Kingdom that agency must—

- (a) send the prospective adopter's general practitioner written notification of the proposed placement and send with that notification a written report of the child's health history and current state of health, so far as it is known; ^{F1}and]
- (b) send the local authority (if that authority is not the adoption agency) and the ^{F2}integrated care board] or Local Health Board (Wales), in whose area the prospective adopter has his home, ^{F3}and to ^{F4}NHS England] if the prospective adopter's home is in England,] written notification of the proposed arrival of the child into England or Wales ^{F5}and, where the child is of compulsory school age, include in the notification to the local authority information about the child's educational history and whether the child has been or is likely to be assessed for special educational needs under the Education Act 1996^{F6}or the Children and Families Act 2014].

^{F7}(c)

Textual Amendments

- F1** Word in reg. 22(a) inserted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) \(Local and Subordinate Legislation\) Order 2010 \(S.I. 2010/1172\)](#), art. 1(1), **Sch. 3 para. 53(3)(a)**
- F2** Words in Regulations substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), reg. 1(2), Sch. para. 1(1)(3) (with Sch. para. 1(2))
- F3** Words in reg. 22(b) inserted (1.4.2013) by [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), **Sch. 2 para. 80(3)(b)**
- F4** Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**

Changes to legislation: There are currently no known outstanding effects for the The Adoptions with a Foreign Element Regulations 2005, Section 22. (See end of Document for details)

- F5** Words in reg. 22(b) substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) (Local and Subordinate Legislation) Order 2010 (S.I. 2010/1172), art. 1(1), **Sch. 3 para. 53(3)(b)**
- F6** Words in reg. 22(b) inserted (1.9.2014) by The Special Educational Needs (Consequential Amendments to Subordinate Legislation) Order 2014 (S.I. 2014/2103), arts. 1, **16**
- F7** Reg. 22(c) omitted (5.5.2010) by virtue of The Local Education Authorities and Children's Services Authorities (Integration of Functions) (Local and Subordinate Legislation) Order 2010 (S.I. 2010/1172), art. 1(1), **Sch. 3 para. 53(3)(c)**

Commencement Information

- I1** Reg. 22 in force at 30.12.2005, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Adoptions with a Foreign Element Regulations 2005, Section 22.