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STATUTORY INSTRUMENTS

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**2005 No. 392**

The Adoptions with a Foreign Element Regulations 2005

PART 3

ADOPTIONS UNDER THE CONVENTION

CHAPTER 2

REQUIREMENTS, PROCEDURE, RECOGNITION AND EFFECT OF ADOPTIONS IN ENGLAND AND WALES WHERE THE UNITED KINGDOM IS THE STATE OF ORIGIN

**Convention adoption order**

- 50.** An adoption order shall not be made as a Convention adoption order unless—
- (a) in the case of—
    - (i) an application by a couple, both members of the couple have been habitually resident in a Convention country outside the British Islands for a period of not less than one year ending with the date of the application; or
    - (aa) an application by one person, the applicant has been habitually resident in a Convention country outside the British Islands for a period of not less than one year ending with the date of the application;
  - (b) the child to be adopted was, on the date on which the agreement under Article 17(c) of the Convention was made, habitually resident in any part of the British Islands; and
  - (c) the competent authority has confirmed that the child is authorised to enter and remain permanently in the Convention country in which the applicant is habitually resident.

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**Commencement Information**

**II** [Reg. 50](#) 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 50.