
STATUTORY INSTRUMENTS

2005 No. 890

**The Adoption Information and Intermediary Services
(Pre-Commencement Adoptions) Regulations 2005**

PART 2

APPLICATIONS FOR INTERMEDIARY SERVICES

Counselling

10.—(1) An intermediary agency must provide written information about the availability of counselling to any person who—

- (a) makes an application to it under these Regulations;^{F1} ...
- (b) is the subject of such an application and is considering whether to consent to disclosure of information about himself to the applicant^{F2}; or
- (c) is an adopted person considering whether to consent to an application proceeding.]

(2) The information provided under paragraph (1) must include details of—

- (a) persons offering counselling; and
- (b) fees that may be charged by such persons.

(3) If a person mentioned in paragraph (1) requests that counselling be provided for him, the intermediary agency must secure the provision of counselling for that person.

(4) The intermediary agency may provide the counselling itself or make arrangements with any of the following persons for provision of counselling—

- (a) if the person is in England or Wales, another adoption agency or a registered adoption support agency;
- (b) if the person is in Scotland, a Scottish adoption agency;
- [^{F3}(c) if the person is in Northern Ireland, an appropriate voluntary organisation within the meaning of Article 2(2) of the Adoption (NI) Order 1987 or the Regional Board or any Health and Social Care Trust; or]
- (d) if the person is outside the United Kingdom, any person or body outside the United Kingdom who appears to the agency to correspond in its functions to a body mentioned in paragraphs (a) to (c).

[^{F4}(5) In this regulation “Regional Board” means the Regional Health and Social Care Board established under Section 7 of the Health and Social Care (Reform) Act (Northern Ireland) 2009 and a Health and Social Care Trust” means a “Health and Social Care Trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991.]

[^{F5}(6) In this regulation “registered adoption support agency” means—

- (a) in relation to England, an adoption support agency in respect of which a person is registered under Part 2 of the Care Standards Act 2000, or

- (b) in relation to Wales, an adoption support agency registered as an adoption service under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016.]

Textual Amendments

- F1** Word in [reg. 10\(1\)\(a\)](#) omitted (31.10.2014) by virtue of [The Adoption Information and Intermediary Services \(Pre-Commencement Adoptions\) \(Amendment\) Regulations 2014 \(S.I. 2014/2696\)](#), regs. 1, **10(a)**
- F2** [Reg. 10\(1\)\(c\)](#) and word inserted (31.10.2014) by [The Adoption Information and Intermediary Services \(Pre-Commencement Adoptions\) \(Amendment\) Regulations 2014 \(S.I. 2014/2696\)](#), regs. 1, **10(b)**
- F3** [Reg. 10\(4\)\(c\)](#) substituted (31.10.2014) by [The Adoption Information and Intermediary Services \(Pre-Commencement Adoptions\) \(Amendment\) Regulations 2014 \(S.I. 2014/2696\)](#), regs. 1, **10(c)**
- F4** [Reg. 10\(5\)](#) substituted (31.10.2014) by [The Adoption Information and Intermediary Services \(Pre-Commencement Adoptions\) \(Amendment\) Regulations 2014 \(S.I. 2014/2696\)](#), regs. 1, **10(d)**
- F5** [Reg. 10\(6\)](#) inserted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments to Secondary Legislation\) Regulations 2019 \(S.I. 2019/237\)](#), reg. 1(2), **Sch. 1 para. 9(2)**

Commencement Information

- I1** [Reg. 10](#) in force at 30.12.2005, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Adoption Information and Intermediary Services (Pre-Commencement Adoptions) Regulations 2005, Section 10.