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STATUTORY INSTRUMENTS

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**2006 No. 1738**

**The Children Act 1989 Representations  
Procedure (England) Regulations 2006**

**PART 2**

Representations – specified functions

**Specified functions under Parts 4 and 5 of the Act**

**3.**—(1) For the purposes of section 26(3A)(b) of the Act, the functions under Parts 4 and 5 of the Act listed in paragraph (2) are specified functions.

(2) The functions are—

- (a) functions under section 31(1) (care and supervision orders);
- (b) functions under section 33(3), (4) and (6) to (9) (effect of care order);
- (c) functions under section 34(6) and (8) (parental contact etc. with child in care);
- (d) functions under section 35(1) and (2) (supervision orders);
- (e) functions under section 43(1) (child assessment orders); and
- (f) functions under section 44(1), (10) and (11) (orders for emergency protection of children).

**Specified functions under the 2002 Act**

**4.** For the purposes of section 26(3B) of the Act, specified functions under the 2002 Act are—

- (a) the provision of adoption support services as prescribed in regulation 3 of the Adoption Support Services Regulations 2005 <sup>MI</sup> (for the purposes of this regulation, “the 2005 Regulations”). But the provision of services prescribed in regulation 3(1)(b) of the 2005 Regulations is only a specified function under this regulation in so far as it is to enable groups of adoptive children to discuss matters relating to adoption and in this sub-paragraph “adoptive child” has the same meaning given in regulation 2 of the 2005 Regulations;
- (b) functions under Parts 4 and 5 of the 2005 Regulations in so far as they relate to the adoption support services referred to in sub-paragraph (a);
- (c) functions under sections 18 to 29 (placement of children by adoption agency for adoption) of the 2002 Act;
- (d) functions under sections 30 to 35 (removal of children who are or may be placed by adoption agencies) of the 2002 Act;
- (e) functions under sections 36 to 40 (removal of children in non-agency cases) of the 2002 Act;
- (f) functions under Part 3 (duties of adoption agency where the agency is considering adoption for a child), <sup>F1</sup>Part 4 (duties of adoption agency in respect of a prospective adopter) in so far as those functions relate to a decision under regulation 27 (pre-assessment decision)

that a prospective adopter is not suitable to adopt a child,] Part 5 (duties of adoption agency in respect of a proposed placement of child with prospective adopter), Part 6 (placement and reviews), Part 7 (case records) in so far as those functions relate to a child's case record as defined in regulation 12 of the Adoption Agencies Regulations 2005 <sup>M2</sup>, and regulations 46 and 47 (contact) of the Adoption Agencies Regulations 2005;

- (g) functions under regulation 10 (requirements applicable in respect of giving parental responsibility prior to adoption abroad) and Chapter 3 (miscellaneous provisions) of Part 3 (adoptions under the Convention) of the Adoptions with a Foreign Element Regulations 2005 <sup>M3</sup>.

#### Textual Amendments

- F1** Words in reg. 4(f) inserted (1.7.2013) by [The Adoption Agencies \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/985\)](#), reg. 1, **Sch. para. 6**

#### Marginal Citations

- M1** [S.I. 2005/691](#).  
**M2** [S.I. 2005/389](#).  
**M3** [S.I. 2005/392](#).

#### Specified functions under section 14F of the Act

5. For the purposes of section 26(3C) of the Act, specified functions under section 14F of the Act are—

- (a) the provision of special guardianship support services under regulations 3(1)(a), (b)(i) and (c) to (e) of the Special Guardianship Regulations 2005 <sup>M4</sup>, and  
 (b) functions under Chapter 2 of Part 2 of the Special Guardianship Regulations 2005 in so far as they relate to the special guardianship support services referred to in sub-paragraph (a).

#### Marginal Citations

- M4** [S.I. 2005/1109](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Children Act 1989 Representations Procedure (England) Regulations 2006, PART 2.