
STATUTORY INSTRUMENTS

2012 No. 1410

**The Adoption Agencies (Panel and
Consequential Amendments) Regulations 2012**

Amendment of the Adoption Agencies Regulations 2005

5. In regulation 17—

- (a) in the heading, omit “for the adoption panel”,
- (b) for paragraphs (2) and (2A) substitute—

“(2) In a case where—

- (a) the adoption agency is a local authority and is considering whether the child ought to be placed for adoption, and
- (b) either paragraph (2A) or paragraph (2B) applies,

the adoption agency may not refer the case to the adoption panel.

(2A) This paragraph applies where—

- (a) the child is placed for adoption by the adoption agency or is being provided with accommodation by them,
- (b) no adoption agency is authorised to place the child for adoption, and
- (c) the child has no parent or guardian, or the agency consider that the conditions in section 31(2) of the 1989 Act⁽¹⁾ are met in relation to the child.

(2B) This paragraph applies where—

- (a) an application has been made, and has not been disposed of, on which a care order might be made in respect of the child, or
- (b) the child is subject to a care order and the adoption agency are not authorised to place the child for adoption.

(2C) In a case not falling within paragraph (2), the adoption agency must send the information and reports referred to in paragraph (2D) to the adoption panel.

(2D) For the purposes of paragraph (2C) and regulation 19(1A) the information and reports are—

- (i) the child’s permanence report,
- (ii) the child’s health report and any other reports referred to in regulation 15, and
- (iii) the information relating to the health of each of the child’s natural parents,

except that, in a case falling within paragraph (2C), the adoption agency may only send to the adoption panel the documents referred to in subparagraphs (ii) and (iii) if the agency’s medical adviser advises it to do so.”

(1) 1989 c.41. That is, the matters about which the court must be satisfied before making a care order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
