

## WELSH STATUTORY INSTRUMENTS

# 2004 No. 1011

## The Adoption Support Services (Local Authorities) (Wales) Regulations 2004

PROSPECTIVE

### Responsibilities of local authorities for out of area placements

9.—(1) Where a local authority (“the placing authority”) —

- (a) is considering adoption for a child but the child has not been placed; or
- (b) has placed a child for adoption but an adoption order has not been made for the child; and
- (c) another local authority (“the recovering local authority”) provides any adoption support services in relation to the child,

the recovering authority may, subject to paragraphs (2), (3), (4) and (5), recover from the placing authority the expenses of providing the adoption support services.

(2) Paragraph (1) is not to apply in respect of the expenses of providing adoption support services, including financial support to the extent that those services consist of the provision of advice or information or the provision of an adoption support services advisor.

(3) Paragraph (1) applies in respect of the expenses of providing adoption support services in relation to a child only to the extent that —

- (a) the placing authority have decided to provide such services; and
- (b) the services are provided in accordance with the plan prepared under regulation 7 by the placing authority.

(4) Where a placing authority is to meet the expenses of providing adoption support services —

- (a) in the circumstances specified in regulation 3(1)(b) to (e) pursuant to paragraph (1); or
- (b) in the circumstance specified in regulation 3(1)(a), where such support is to be provided after the making of the adoption order,

the placing authority shall continue to do so for up to three years from the date of placement, subject to regulation 14.

(5) Where financial support pursuant to regulation 3(1)(a) or an adoption allowance pursuant to the Adoption Allowance Regulations 1991(1) is paid by the placing authority prior to the making of the adoption order, the placing authority shall continue to make such payments, subject to regulation 14.

(6) References in paragraph (3) to adoption support services include any allowance that is treated as financial support payable under these Regulations, by virtue of regulation 16(2).

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Adoption Support Services (Local Authorities) (Wales) Regulations 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

### Commencement Information

**II** Reg. 9 in force at 1.10.2004, see [reg. 1\(1\)](#)

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2005/1512 reg. 18\(1\)](#)
- reg. 9 coming into force by [S.I. 2004/1011 reg. 1\(1\)](#)