

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Adoption and Children Act 2002 (“the Act”). They apply to Wales only. They make provision for the review by an independent panel in two types of case. First, a determination made by an adoption agency under the Adoption Agencies (Wales) Regulations 2005 that it does not propose to approve a prospective adopter as suitable to adopt a child or decides on review that a prospective adopter is no longer suitable to adopt a child. Such a determination is specified in regulation 3 of these Regulations as a qualifying determination for the purposes of section 12(2) of the Act. Secondly, determinations made by an adoption agency under the Access to Information (Post-Commencement Adoptions) (Wales) Regulations 2005. These determinations are specified in a new regulation 13A of those Regulations as qualifying determinations for the purposes of section 12(2) of the Act.

Part 2 makes provision for the constitution and membership of panels, their functions and the payment of fees, meetings and record keeping of the panels which are appointed by the National Assembly for Wales to review qualifying determinations.

Part 3 makes provision for the procedure to be followed when a review of a qualifying determination by a panel constituted under Part 2 is sought.