Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 5

THE REGISTERS

Adopted Children Register etc.

77 Adopted Children Register

(1) The Registrar General must continue to maintain in the General Register Office a register, to be called the Adopted Children Register.

(2) The Adopted Children Register is not to be open to public inspection or search.

(3) No entries may be made in the Adopted Children Register other than entries—

(a) directed to be made in it by adoption orders, or

(b) required to be made under Schedule 1.

(4) A certified copy of an entry in the Adopted Children Register, if purporting to be sealed or stamped with the seal of the General Register Office, is to be received as evidence of the adoption to which it relates without further or other proof.

(5) Where an entry in the Adopted Children Register contains a record—

(a) of the date of birth of the adopted person, or

(b) of the country, or the district and sub-district, of the birth of the adopted person,

a certified copy of the entry is also to be received, without further or other proof, as evidence of that date, or country or district and sub-district, (as the case may be) in all respects as if the copy were a certified copy of an entry in the registers of live-births.

(6) Schedule 1 (registration of adoptions and the amendment of adoption orders) is to have effect.

78 Searches and copies

(1) The Registrar General must continue to maintain at the General Register Office an index of the Adopted Children Register.

(2) Any person may—

(a) search the index,

(b) have a certified copy of any entry in the Adopted Children Register.

(3) But a person is not entitled to have a certified copy of an entry in the Adopted Children Register relating to an adopted person who has not attained the age of 18 years unless the applicant has provided the Registrar General with the prescribed particulars.

"Prescribed" means prescribed by regulations made by the Registrar General with the approval of the Chancellor of the Exchequer.

(4) The terms, conditions and regulations as to payment of fees, and otherwise, applicable under the Births and Deaths Registration Act 1953 (c. 20), and the Registration Service Act 1953 (c. 37), in respect of—

(a) searches in the index kept in the General Register Office of certified copies of entries in the registers of live-births,

(b) the supply from that office of certified copies of entries in those certified copies,

also apply in respect of searches, and supplies of certified copies, under subsection (2).

79 Connections between the register and birth records

(1) The Registrar General must make traceable the connection between any entry in the registers of live-births or other records which has been marked "Adopted" and any corresponding entry in the Adopted Children Register.

(2) Information kept by the Registrar General for the purposes of subsection (1) is not to be open to public inspection or search.

(3) Any such information, and any other information which would enable an adopted person to obtain a certified copy of the record of his birth, may only be disclosed by the Registrar General in accordance with this section.

(4) In relation to a person adopted before the appointed day the court may, in exceptional circumstances, order the Registrar General to give any information mentioned in subsection (3) to a person.

(5) On an application made in the prescribed manner by the appropriate adoption agency in respect of an adopted person a record of whose birth is kept by the Registrar General, the Registrar General must give the agency any information relating to the adopted person which is mentioned in subsection (3).

"Appropriate adoption agency" has the same meaning as in section 65.

(6) In relation to a person adopted before the appointed day, Schedule 2 applies instead of subsection (5).

(7) On an application made in the prescribed manner by an adopted person a record of whose birth is kept by the Registrar General and who—

(a) is under the age of 18 years, and

(b) intends to be married,

the Registrar General must inform the applicant whether or not it appears from information contained in the registers of live-births or other records that the applicant and the person whom the applicant intends to marry may be within the prohibited degrees of relationship for the purposes of the Marriage Act 1949 (c. 76).

(8) Before the Registrar General gives any information by virtue of this section, any prescribed fee which he has demanded must be paid.

(9) In this section—

"appointed day" means the day appointed for the commencement of sections 56 to 65,

"prescribed" means prescribed by regulations made by the Registrar General with the approval of the Chancellor of the Exchequer.

Adoption Contact Register

80 Adoption Contact Register

(1) The Registrar General must continue to maintain at the General Register Office in accordance with regulations a register in two Parts to be called the Adoption Contact Register.

(2) Part 1 of the register is to contain the prescribed information about adopted persons who have given the prescribed notice expressing their wishes as to making contact with their relatives.

(3) The Registrar General may only make an entry in Part 1 of the register for an adopted person—

(a) a record of whose birth is kept by the Registrar General,

(b) who has attained the age of 18 years, and

(c) who the Registrar General is satisfied has such information as is necessary to enable him to obtain a certified copy of the record of his birth.

(4) Part 2 of the register is to contain the prescribed information about persons who have given the prescribed notice expressing their wishes, as relatives of adopted persons, as to making contact with those persons.

(5) The Registrar General may only make an entry in Part 2 of the register for a person—

(a) who has attained the age of 18 years, and

(b) who the Registrar General is satisfied is a relative of an adopted person and has such information as is necessary to enable him to obtain a certified copy of the record of the adopted person's birth.

(6) Regulations may provide for—

(a) the disclosure of information contained in one Part of the register to persons for whom there is an entry in the other Part,

(b) the payment of prescribed fees in respect of the making or alteration of entries in the register and the disclosure of information contained in the register.

81 Adoption Contact Register: supplementary

(1) The Adoption Contact Register is not to be open to public inspection or search.

(2) In section 80, "relative", in relation to an adopted person, means any person who (but for his adoption) would be related to him by blood (including half-blood) or marriage.

(3) The Registrar General must not give any information entered in the register to any person except in accordance with subsection (6)(a) of that section or regulations made by virtue of section 64(4)(b).

(4) In section 80, "regulations" means regulations made by the Registrar General with the approval of the Chancellor of the Exchequer, and "prescribed" means prescribed by such regulations.

General

82 Interpretation

(1) In this Chapter—

"records" includes certified copies kept by the Registrar General of entries in any register of births,

"registers of live-births" means the registers of live-births made under the Births and Deaths Registration Act 1953 (c. 20).

(2) Any register, record or index maintained under this Chapter may be maintained in any form the Registrar General considers appropriate; and references (however expressed) to entries in such a register, or to their amendment, marking or cancellation, are to be read accordingly.