



Adoption and Children Act 2002

2002 CHAPTER 38

PART 2

AMENDMENTS OF THE CHILDREN ACT 1989

117 Inquiries by local authorities into representations

- (1) In section 24D of the 1989 Act (representations: sections 23A to 24B), after subsection (1) there is inserted—

“(1A) Regulations may be made by the Secretary of State imposing time limits on the making of representations under subsection (1).”

- (2) Section 26 of that Act (procedure for considering other representations) is amended as follows.

- (3) In subsection (3) (which makes provision as to the persons by whom, and the matters in respect of which, representations may be made), for “functions under this Part” there is substituted “qualifying functions”.

- (4) After that subsection there is inserted—

“(3A) The following are qualifying functions for the purposes of subsection (3)—

- (a) functions under this Part,
- (b) such functions under Part 4 or 5 as are specified by the Secretary of State in regulations.

(3B) The duty under subsection (3) extends to representations (including complaints) made to the authority by—

- (a) any person mentioned in section 3(1) of the Adoption and Children Act 2002 (persons for whose needs provision is made by the Adoption Service) and any other person to whom arrangements for the provision of adoption support services (within the meaning of that Act) extend,

Changes to legislation: *Adoption and Children Act 2002, Section 117 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (b) such other person as the authority consider has sufficient interest in a child who is or may be adopted to warrant his representations being considered by them,
- about the discharge by the authority of such functions under the Adoption and Children Act 2002 as are specified by the Secretary of State in regulations.”
- (5) In subsection (4) (procedure to require involvement of independent person), after paragraph (b) there is inserted—
- “but this subsection is subject to subsection (5A).”
- (6) After that subsection there is inserted—
- “(4A) Regulations may be made by the Secretary of State imposing time limits on the making of representations under this section.”
- (7) After subsection (5) there is inserted—
- “(5A) Regulations under subsection (5) may provide that subsection (4) does not apply in relation to any consideration or discussion which takes place as part of a procedure for which provision is made by the regulations for the purpose of resolving informally the matters raised in the representations.”

Commencement Information

- I1** S. 117 in force at 7.12.2004 for specified purposes by [S.I. 2004/3203](#), **art. 2(1)(m)(xi)**
- I2** S. 117 in force at 30.12.2005 in so far as not already in force by [S.I. 2005/2213](#), **art. 2(k)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2014 c. 6 s. 5](#)
- s. 141(7) inserted by [2010 c. 26 Sch. 3 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))