



Local Government (Wales) Measure 2011

2011 nawm 4

PART 2

FAMILY ABSENCE FOR MEMBERS OF LOCAL AUTHORITIES

27 **New adoption absence**

- (1) This section applies to a member of a local authority who satisfies prescribed conditions—
 - (a) as to relationship with a child placed, or expected to be placed, for adoption under the law of any part of the United Kingdom, and
 - (b) as to relationship with a person with whom the child is, or is expected to be, so placed for adoption.
- (2) The member is entitled to a period of absence (“new adoption absence”) for the purpose of—
 - (a) caring for the child, or
 - (b) supporting the person by reference to whom the member satisfies the condition under subsection (1)(b).
- (3) Regulations must include provision for determining—
 - (a) the extent of a member’s entitlement to new adoption absence in respect of a child;
 - (b) when new adoption absence may be taken.
- (4) Regulations must not provide for a period of new adoption absence in respect of a child to exceed two weeks.
- (5) Regulations must require new adoption absence to be taken before the end of a prescribed period.
- (6) That period must be a period of at least 56 days beginning with the date of the child’s placement for adoption.

Status: This is the original version (as it was originally enacted).

- (7) Regulations may prescribe circumstances in which a member of a local authority, or the local authority, may—
- (a) bring a period of new adoption absence to an end, or
 - (b) cancel a period of new adoption absence.
- (8) Regulations may—
- (a) (for the purpose of subsection (2)) prescribe things which are, or are not, to be taken as done for the purpose of caring for a child or supporting a person with whom a child is placed for adoption;
 - (b) allow a member to choose, subject to prescribed restrictions, the date on which a period of new adoption absence starts;
 - (c) make provision excluding the right to be absent under this section in the case of a member who exercises a right to be absent on adopter’s absence;
 - (d) make provision excluding an entitlement to new adoption absence in respect of a child where more than one child is placed for adoption as part of the same arrangement;
 - (e) make provision about how new adoption absence may be taken.
- (9) Where more than one child is placed for adoption as part of the same arrangement, the reference in subsection (6) to the date of the child’s placement is to be read as a reference to the date of placement of the first child to be placed as part of the arrangement.
- (10) In this section, “week” means any period of seven days.
- (11) The Welsh Ministers may by regulations provide for this section to apply in relation to cases which involve adoption, but not the placement of a child for adoption under the law of any part of the United Kingdom.