



Adoption Act 1976

1976 CHAPTER 36

PART II

ADOPTION ORDERS

The making of adoption orders

12 Adoption orders

- (1) An adoption order is an order vesting the parental rights and duties relating to a child in the adopters, made on their application by an authorised court.
- (2) The order does not affect the parental rights and duties so far as they relate to any period before the making of the order.
- (3) The making of an adoption order operates to extinguish—
 - (a) any parental right or duty relating to the child which—
 - (i) is vested in a person (not being one of the adopters) who was the parent or guardian of the child immediately before the making of the order, or
 - (ii) is vested in any other person by virtue of the order of any court; and
 - (b) any duty arising by virtue of an agreement or the order of a court to make payments, so far as the payments are in respect of the child's maintenance for any period after the making of the order or any other matter comprised in the parental duties and relating to such a period.
- (4) Subsection (3)(b) does not apply to a duty arising by virtue of an agreement—
 - (a) which constitutes a trust, or
 - (b) which expressly provides that the duty is not to be extinguished by the making of an adoption order.
- (5) An adoption order may not be made in relation to a child who is or has been married.
- (6) An adoption order may contain such terms and conditions as the court thinks fit.

Status: *This is the original version (as it was originally enacted).*

- (7) An adoption order may be made notwithstanding that the child is already an adopted child.