

SCHEDULES

SCHEDULE 10

AMENDMENTS OF ADOPTION LEGISLATION

PART I

AMENDMENTS OF ADOPTION ACT 1976 (c. 36)

- 20 (1) In section 51 (disclosure of birth records of adopted children), in subsection (1) for the words “subsections (4) and (6)” there shall be substituted “what follows”.
- (2) For subsections (3) to (7) of that section there shall be substituted—
- “(3) Before supplying any information to an applicant under subsection (1), the Registrar General shall inform the applicant that counselling services are available to him—
- (a) if he is in England and Wales—
 - (i) at the General Register Office;
 - (ii) from the local authority in whose area he is living;
 - (iii) where the adoption order relating to him was made in England and Wales, from the local authority in whose area the court which made the order sat; or
 - (iv) from any other local authority;
 - (b) if he is in Scotland—
 - (i) from the regional or islands council in whose area he is living;
 - (ii) where the adoption order relating to him was made in Scotland, from the council in whose area the court which made the order sat; or
 - (iii) from any other regional or islands council;
 - (c) if he is in Northern Ireland—
 - (i) from the Board in whose area he is living;
 - (ii) where the adoption order relating to him was made in Northern Ireland, from the Board in whose area the court which made the order sat; or
 - (iii) from any other Board;
 - (d) if he is in the United Kingdom and his adoption was arranged by an adoption society—
 - (i) approved under section 3,
 - (ii) approved under section 3 of the Adoption (Scotland) Act 1978,
 - (iii) registered under Article 4 of the Adoption (Northern Ireland) Order 1987,

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from that society.

- (4) Where an adopted person who is in England and Wales—
- (a) applies for information under —
 - (i) subsection (1), or
 - (ii) Article 54 of the Adoption (Northern Ireland) Order 1987, or
 - (b) is supplied with information under section 45 of the Adoption (Scotland) Act 1978,
- it shall be the duty of the persons and bodies mentioned in subsection (5) to provide counselling for him if asked by him to do so.
- (5) The persons and bodies are—
- (a) the Registrar General;
 - (b) any local authority falling within subsection (3)(a)(ii) to (iv);
 - (c) any adoption society falling within subsection (3)(d) in so far as it is acting as an adoption society in England and Wales.
- (6) If the applicant chooses to receive counselling from a person or body falling within subsection (3), the Registrar General shall send to the person or body the information to which the applicant is entitled under subsection (1).
- (7) Where a person—
- (a) was adopted before 12th November 1975, and
 - (b) applies for information under subsection (1),
- the Registrar General shall not supply the information to him unless he has attended an interview with a counsellor arranged by a person or body from whom counselling services are available as mentioned in subsection (3).
- (8) Where the Registrar General is prevented by subsection (7) from supplying information to a person who is not living in the United Kingdom, he may supply the information to any body which—
- (a) the Registrar General is satisfied is suitable to provide counselling to that person, and
 - (b) has notified the Registrar General that it is prepared to provide such counselling.
- (9) In this section—
- “a Board” means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972; and
- “prescribed” means prescribed by regulations made by the Registrar General.”