



Adoption (Intercountry Aspects) Act 1999

1999 CHAPTER 18

Convention adoptions

6 Annulment of Convention adoptions etc.

[^{F1}(1) For subsection (1) of section 53 of the 1976 Act (annulment etc. of overseas adoptions) there shall be substituted—

“(1) The High Court may, on an application under this subsection, by order annul a Convention adoption or a Convention adoption order on the ground that the adoption or order is contrary to public policy.”;

and the same amendment shall be made to section 47 of the 1978 Act (corresponding provision for Scotland) except that for “the High Court” there shall substituted “ the Court of Session ”.

(2) In subsection (5) of each of those sections, after “validity of” there shall be inserted “ a Convention adoption, a Convention adoption order, ”.

(3) In subsection (4) of section 54 of the 1976 Act (provisions supplementary to sections 52(3) and 53), and in subsection (4) of section 48 of the 1978 Act (provisions supplementary to sections 46(2) and 47), the definitions of “notified provision” and “relevant time” shall cease to have effect.

(4) For subsection (1) of section 59 of the 1976 Act (effect of determinations and orders made in Scotland and overseas in adoption proceedings) there shall be substituted—

“(1) Where—

(a) an authority of a Convention country (other than the United Kingdom) having power under the law of that country—

(i) to authorise, or review the authorisation of, a Convention adoption; or

(ii) to give or review a decision revoking or annulling such an adoption or a Convention adoption order; or

(b) an authority of any of the Channel Islands, the Isle of Man or any colony having power under the law of that territory—

Changes to legislation: There are currently no known outstanding effects for the Adoption (Intercountry Aspects) Act 1999, Section 6. (See end of Document for details)

- (i) to authorise, or review the authorisation of, a Convention adoption or an adoption effected in that territory; or
- (ii) to give or review a decision revoking or annulling such an adoption or a Convention adoption order,

makes a determination in the exercise of that power, then, subject to section 53 and any subsequent determination having effect under this subsection, the determination shall have effect in England and Wales for the purpose of effecting, confirming or terminating the adoption in question or confirming its termination as the case may be.”;

and the same amendment shall be made to section 53 of the 1978 Act (effect of determinations and orders made in England and Wales and overseas in adoption proceedings) except that for “section 53” there shall be substituted “ section 47 ” and for “England and Wales” there shall be substituted “ Scotland ”.]

Textual Amendments

- F1** S. 6 ceases to have effect (30.12.2005) by virtue of [Adoption and Children Act 2002 \(c. 38\)](#), s. 148(1), [Sch. 3 para. 95](#) (with [Sch. 4 paras. 6-8](#)); [S.I. 2005/2213](#), art. 2(o) and s. 6 also repealed (S.) (28.9.2009) by [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#), s. 121(2), [sch. 3](#); [S.S.I. 2009/267](#), arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2)

Commencement Information

- I1** S. 6 in force at 1.6.2003 for E.W. by [S.I. 2003/189](#), [art. 2\(2\)\(d\)](#)
- I2** S. 6 in force at 1.6.2003 for specified purposes for S. by [S.S.I. 2003/121](#), [art. 2\(d\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Adoption (Intercountry Aspects) Act 1999, Section 6.