

ADOPTION AND CHILDREN ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – Adoption

Chapter 5 - The Registers

Section 79: Connections between the register and birth records

210. *Section 79* places a duty on the Registrar General to make traceable the connection between any entry in the registers of live-births or other records which has been marked “Adopted” and any corresponding entry in the Adopted Children Register. *Subsection (2)* provides that public access to this index is prohibited. *Subsection (3)* provides that any such information held under *subsections (1)* and *(2)*, and any other information which would enable an adopted person to obtain a certified copy of the record of his birth, may only be disclosed by the Registrar General in accordance with this section. *Subsection (4)* provides that in relation to a person adopted before the appointed day a court may in exceptional circumstances order the Registrar General to give such information to a person. The appointed day is defined in *subsection (9)* as the day appointed for the commencement of sections 56 to 65. *Subsection (5)* provides that the Registrar General is to provide on application the appropriate adoption agency with any information mentioned in *subsection (3)*. *Subsection (6)* provides that for people adopted before the commencement of sections 56 to 65 Schedule 2 applies and *subsection (5)* does not.
211. *Subsection (7)* enables the Registrar General to make regulations to set out the manner in which applications must be made by an adopted person aged under 18 who intends to be married requesting information as to whether the person whom they intend to marry may be within the prohibited degrees of relationship for the purpose of the Marriage Act 1949. *Subsection (8)* enables the Registrar General to make regulations requiring the payment of a prescribed fee in respect of information given under *section 79*.