

ADOPTION AND CHILDREN ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 -Miscellaneous and Final Provisions

Chapter 2 - Final Provisions

Section 144: General interpretation, etc.

344. *Section 144* provides general interpretation. One of the important definitions in this section is the definition of “appropriate Minister.” This is defined as in relation to England, Scotland or Northern Ireland, the Secretary of State and in relation to Wales the National Assembly for Wales. *Subsection (4)* provides a definition of a “couple”. This definition applies solely for the purposes of the Act and does not impact on other legislation. A couple means a married couple or two people, whether of different sexes or of the same sex, living as partners in an enduring family relationship. The latter does not include two people where one person is the other’s parent, grandparent, sister, brother, aunt or uncle (*subsection (5)*). *Subsection (6)* provides that the relationships set out in *subsection (5)* include relationships of the full or half blood and also include the relationship of an adoptive parent with his adopted child, or his former adopted child. The wording at the end of *subsection (6)* makes clear that adoptive relationships other than those set out in *subsection (6)(b)* are not included in the list at *subsection (5)*. *Subsection (7)* provides a definition of “partner” for the purposes of this Act. A person is a partner of the child’s parent if the person and the parent are a couple but the person is not the child’s parent.