Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 2

THE ADOPTION SERVICE

Supplemental

13 Information concerning adoption

(1) Each adoption agency must give to the appropriate Minister any statistical or other general information he requires about—

(a) its performance of all or any of its functions relating to adoption,

(b) the children and other persons in relation to whom it has exercised those functions.

(2) The following persons—

[[F1](aa) the relevant officer of the family court, and**]**

(c) the relevant officer of the High Court,

must give to the appropriate Minister any statistical or other general information he requires about the proceedings under this Act of the court in question.

(3) In subsection (2), "relevant officer", in relation to **[**[F2]the family**]** court or the High Court, means the officer of that court who is designated to act for the purposes of that subsection by a direction given by the Lord Chancellor.

(4) The information required to be given to the appropriate Minister under this section must be given at the times, and in the form, directed by him.

Status: *This version of this cross heading contains provisions that are prospective.*
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(5) The appropriate Minister may publish from time to time abstracts of the information given to him under this section.

Textual Amendments

F1 S. 13(2)(aa) substituted for s. 13(2)(a)(b) (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 152(a)**; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F2 Words in s. 13(3) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 152(b)**; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Commencement Information

I1 S. 13 in force at 30.12.2005 for W. by S.I. 2005/3112, **art. 2(d)**

I2 S. 13 in force at 30.12.2005 for E. by S.I. 2005/2213, **art. 3(g)** (with savings and transitional provisions in S.I. 2005/2897, arts. 3-16)

14 Default power of appropriate Minister

(1) If the appropriate Minister is satisfied that any local authority have failed, without reasonable excuse, to comply with any of the duties imposed on them by virtue of this Act or of section 1 or 2(4) of the Adoption (Intercountry Aspects) Act 1999 (c. 18), he may make an order declaring that authority to be in default in respect of that duty.

(2) An order under subsection (1) must give the appropriate Minister's reasons for making it.

(3) An order under subsection (1) may contain such directions as appear to the appropriate Minister to be necessary for the purpose of ensuring that, within the period specified in the order, the duty is complied with.

(4) Any such directions are enforceable, on the appropriate Minister's application, by a mandatory order.

Commencement Information

I3 S. 14 in force at 30.12.2005 for E. by S.I. 2005/2213, **art. 3(h)** (with savings and transitional provisions in S.I. 2005/2897, arts. 3-16)

I4 S. 14 in force at 30.12.2005 for W. by S.I. 2005/3112, **art. 2(d)**

15 Inspection of premises etc.

(1) The appropriate Minister may arrange for any premises in which—

(a) a child is living with a person with whom the child has been placed by an adoption agency, or

(b) a child in respect of whom a notice of intention to adopt has been given under section 44 is, or will be, living,

to be inspected from time to time.

(2) The appropriate Minister may require an adoption agency—

(a) to give him any information, or

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(b) to allow him to inspect any records (in whatever form they are held),

relating to the discharge of any of its functions in relation to adoption which the appropriate Minister specifies.

(3) An inspection under this section must be conducted by a person authorised by the appropriate Minister.

(4) An officer of a local authority may only be so authorised with the consent of the authority.

(5) A person inspecting any premises under subsection (1) may—

(a) visit the child there,

(b) make any examination into the state of the premises and the treatment of the child there which he thinks fit.

(6) A person authorised to inspect any records under this section may at any reasonable time have access to, and inspect and check the operation of, any computer (and associated apparatus) which is being or has been used in connection with the records in question.

(7) A person authorised to inspect any premises or records under this section may—

(a) enter the premises for that purpose at any reasonable time,

(b) require any person to give him any reasonable assistance he may require.

(8) A person exercising a power under this section must, if required to do so, produce a duly authenticated document showing his authority.

(9) Any person who intentionally obstructs another in the exercise of a power under this section is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

I5 S. 15 in force at 30.12.2005 for W. by S.I. 2005/3112, **art. 2(d)**

I6 S. 15 in force at 30.12.2005 for E. by S.I. 2005/2213, **art. 3(i)** (with savings and transitional provisions in S.I. 2005/2897, arts. 3-16)

[F3]16 Distribution of functions in relation to registered adoption societies

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Textual Amendments

F3 S. 16 omitted (29.4.2019) by virtue of The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments) Regulations 2019 (S.I. 2019/772), regs. 1(2), **18**

PROSPECTIVE

[F4]17 Inquiries

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Textual Amendments

F4 S. 17 repealed (7.6.2005) by Inquiries Act 2005 (c. 12), s. 51(1), Sch. 2 para. 23, **Sch. 3** (with ss. 44, 50); S.I. 2005/1432, art. 2

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by 2014 c. 6 s. 5
- s. 141(7) inserted by 2010 c. 26 Sch. 3 para. 13 (This amendment not applied to legislation.gov.uk. Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by 2013 c. 22, s. 17(4) ; S.I. 2013/2200 art. 2(a))