Changes to legislation: *Adoption and Children Act 2002, Paragraph 43 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

43 (1) The Schedule to that Act (modifications of section 1 for children in certain cases) is amended as follows.

(2) In paragraph 3 (adoption and custodianship), for sub-paragraphs (1) and (2) there is substituted—

"(1) This paragraph applies where—

(a) a child is placed for adoption by an adoption agency under section 19 of the Adoption and Children Act 2002, or an adoption agency is authorised to place the child for adoption under that section; or

(b) a placement order is in force in respect of the child; or

(c) an application for such an order has been made in respect of the child and has not been disposed of; or

(d) an application for an adoption order has been made in respect of the child and has not been disposed of; or

(e) an order under section 84 of the Adoption and Children Act 2002 (giving parental responsibility prior to adoption abroad) has been made in respect of the child, or an application for such an order in respect of him has been made and has not been disposed of.

(2) Where this paragraph applies, section 1 of this Act shall have effect as if—

(a) the reference in subsection (1) to the appropriate consent were—

(i) in a case within sub-paragraph (1)(a) above, a reference to the consent of each person who has parental responsibility for the child or to the leave of the High Court;

(ii) in a case within sub-paragraph (1)(b) above, a reference to the leave of the court which made the placement order;

(iii) in a case within sub-paragraph (1)(c) or (d) above, a reference to the leave of the court to which the application was made;

(iv) in a case within sub-paragraph (1)(e) above, a reference to the leave of the court which made the order or, as the case may be, to which the application was made;

(b) subsection (3) were omitted;

(c) in subsection (4), in paragraph (a), for the words from "in whose favour" to the first mention of "child" there were substituted "who provides the child's home in a case falling within sub-paragraph (1)(a) or (b) of paragraph 3 of the Schedule to this Act"; and

(d) subsections (4A), (5), (5A) and (6) were omitted."

Changes to legislation: *Adoption and Children Act 2002, Paragraph 43 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(3) In paragraph 5 (interpretation), in sub-paragraph (a), for the words from "and "adoption order"" to the end there is substituted " , "adoption order", "placed for adoption by an adoption agency" and "placement order" have the same meaning as in the Adoption and Children Act 2002; and ".

Commencement Information

I1 Sch. 3 para. 43 in force at 30.12.2005 by S.I. 2005/2213, **art. 2(o)** (with savings and transitional provisions in S.I. 2005/2897, arts. 3-16)

Changes to legislation:
Adoption and Children Act 2002, Paragraph 43 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

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))