



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 1

#### ADOPTION

### CHAPTER 2

#### THE ADOPTION SERVICE

##### *The Adoption Service*

### 3 Maintenance of Adoption Service

- (1) Each local authority must continue to maintain within their area a service designed to meet the needs, in relation to adoption, of—
  - (a) children who may be adopted, their parents and guardians,
  - (b) persons wishing to adopt a child, and
  - (c) adopted persons, their parents, natural parents and former guardians;and for that purpose must provide the requisite facilities.
- (2) Those facilities must include making, and participating in, arrangements—
  - (a) for the adoption of children, and
  - (b) for the provision of adoption support services.
- (3) As part of the service, the arrangements made for the purposes of subsection (2)(b)—
  - (a) must extend to the provision of adoption support services to persons who are within a description prescribed by regulations,
  - (b) may extend to the provision of those services to other persons.
- (4) A local authority may provide any of the requisite facilities by securing their provision by—
  - (a) registered adoption societies, or

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**Changes to legislation:** Adoption and Children Act 2002, Section 3 is up to date with all changes known to be in force on or before 22 July 2019. 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

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- (b) other persons who are within a description prescribed by regulations of persons who may provide the facilities in question.
- (5) The facilities of the service must be provided in conjunction with the local authority's other social services and with registered adoption societies in their area, so that help may be given in a co-ordinated manner without duplication, omission or avoidable delay.
- (6) The social services referred to in subsection (5) are the functions of a local authority which are social services functions within the meaning of the Local Authority Social Services Act 1970 (c. 42) [<sup>F1</sup>or for the purposes of the 2014 Act (which, in each case, include], in particular, those functions in so far as they relate to children).

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#### Textual Amendments

- F1** Words in s. 3(6) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **190**
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#### Commencement Information

- I1** S. 3(1)(2)(5)(6) in force at 30.12.2005 by [S.I. 2005/2213](#), **art. 2(b)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)
- I2** S. 3(3)(4) in force at 7.12.2004 for specified purposes for E. by [S.I. 2004/3203](#), **art. 2(1)(m)(i)**
- I3** S. 3(3)(4) in force at 6.6.2005 for W. by [S.I. 2005/1206](#), **art. 2**
- I4** S. 3(3)(4) in force at 30.12.2005 for E. in so far as not already in force by [S.I. 2005/2213](#), **art. 3(a)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

**Changes to legislation:**

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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\(a\)](#))