



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 1

#### ADOPTION

### CHAPTER 3

#### PLACEMENT FOR ADOPTION AND ADOPTION ORDERS

##### *Disclosure of information in relation to a person's adoption*

#### **61 Disclosing protected information about adults**

- (1) This section applies where—
  - (a) a person applies to the appropriate adoption agency for protected information to be disclosed to him, and
  - (b) none of the information is about a person who is a child at the time of the application.
- (2) The agency is not required to proceed with the application unless it considers it appropriate to do so.
- (3) If the agency does proceed with the application it must take all reasonable steps to obtain the views of any person the information is about as to the disclosure of the information about him.
- (4) The agency may then disclose the information if it considers it appropriate to do so.
- (5) In deciding whether it is appropriate to proceed with the application or disclose the information, the agency must consider—
  - (a) the welfare of the adopted person,
  - (b) any views obtained under subsection (3),
  - (c) any prescribed matters,

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**Status:** *This is the original version (as it was originally enacted).*

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and all the other circumstances of the case.

- (6) This section does not apply to a request for information under section 60(2) or to a request for information which the agency is authorised or required to disclose in pursuance of regulations made by virtue of section 57(6).