



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 1

#### ADOPTION

### CHAPTER 2

#### THE ADOPTION SERVICE

##### *The Adoption Service*

#### **7 Inactive or defunct adoption societies etc.**

- (1) This section applies where it appears to the appropriate Minister that—
  - (a) a body which is or has been a registered adoption society is inactive or defunct, or
  - (b) a body which has ceased to be a registered adoption society by virtue of the cancellation of its registration under Part 2 of the Care Standards Act 2000 has not made such arrangements for the transfer of its functions relating to children as are specified in a direction given by him.
- (2) The appropriate Minister may, in relation to such functions of the society as relate to children, direct what appears to him to be the appropriate local authority to take any such action as might have been taken by the society or by the society jointly with the authority.
- (3) A local authority are entitled to take any action which—
  - (a) apart from this subsection the authority would not be entitled to take, or would not be entitled to take without joining the society in the action, but
  - (b) they are directed to take under subsection (2).
- (4) The appropriate Minister may charge the society for expenses necessarily incurred by him or on his behalf in securing the transfer of its functions relating to children.

---

**Status:** This is the original version (as it was originally enacted).

---

- (5) Before giving a direction under subsection (2) the appropriate Minister must, if practicable, consult both the society and the authority.