



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 6

ADOPTIONS WITH A FOREIGN ELEMENT

Bringing children into and out of the United Kingdom

84 Giving parental responsibility prior to adoption abroad

- (1) The High Court may, on an application by persons who the court is satisfied intend to adopt a child under the law of a country or territory outside the British Islands, make an order giving parental responsibility for the child to them.
- (2) An order under this section may not give parental responsibility to persons who the court is satisfied meet those requirements as to domicile, or habitual residence, in England and Wales which have to be met if an adoption order is to be made in favour of those persons.
- (3) An order under this section may not be made unless any requirements prescribed by regulations are satisfied.
- (4) An application for an order under this section may not be made unless at all times during the preceding ten weeks the child's home was with the applicant or, in the case of an application by two people, both of them.
- (5) Section 46(2) to (4) has effect in relation to an order under this section as it has effect in relation to adoption orders.
- (6) Regulations may provide for any provision of this Act which refers to adoption orders to apply, with or without modifications, to orders under this section.

Changes to legislation: *Adoption and Children Act 2002, Section 84 is up to date with all changes known to be in force on or before 13 April 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*

(7) In this section, “regulations” means regulations made by the Secretary of State, after consultation with the Assembly.

Commencement Information

- I1** S. 84 in force at 7.12.2004 for specified purposes by [S.I. 2004/3203](#), **art. 2(1)(m)(vii)**
- I2** S. 84 in force at 30.12.2005 in so far as not already in force by [S.I. 2005/2213](#), **art. 2(f)** (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\(a\)](#))