

*These notes refer to the Children Act 2004 (c.31)
which received Royal Assent on 15th November 2004*

CHILDREN ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Advisory and Support Services for Family Proceedings

Other provisions

Section 57: Fees payable to members of independent review panel

234. *Section 57* amends section 12 of the *Adoption and Children Act 2002 (c. 38)* (independent review of determinations). Section 12 provides for the establishment of a review procedure in respect of qualifying determinations made by adoption agencies. This is intended to provide prospective adopters with a right to request a referral to a panel established by the appropriate Minister, where an adoption agency indicates that it is minded to turn down their application to adopt. Under subsection (4) of section 12 the appropriate Minister may delegate functions in relation to the panel to an organisation to perform on his behalf. Under subsection (3) of section 12, regulations may provide for the duties and powers of a review panel, its administration and procedures, appointment of panel members, payment of expenses, the duties of adoption agencies in connection with reviews and the monitoring of reviews.
235. *Section 57* amends section 12(3)(d) (power to make provision as to the payment of expenses of members of a panel), by replacing the words ‘expenses of’ with ‘fees to’. This will provide for regulations to be made to provide for the payment of fees to members of a panel constituted under section 12. This will help the organisation to which the appropriate Minister delegates his functions to recruit panel members and is consistent with provision in the *Adoption and Children Act 2002 Act*, which will allow adoption agencies to pay fees to their adoption panel members.