



# Adoption of Children Act 1949

## 1949 CHAPTER 98

### 12 Registration of adoption orders

- (1) Every adoption order made after the commencement of this Act shall contain a direction to the Registrar General to make in the Adopted Children Register an entry in the form set out in the Schedule to this Act, and (subject to the provisions of the next following subsection) shall specify the particulars to be entered under the headings in columns 2 to 6 of that Schedule.
- (2) For the purposes of compliance with the requirements of the foregoing subsection—
  - (a) where the precise date of the infant's birth is not proved to the satisfaction of the court, the court shall determine the probable date of his birth and the date so determined shall be specified in the order as the date of his birth ;
  - (b) where the name or surname which the infant is to bear after the adoption differs from his original name or surname, the new name or surname shall be specified in the order instead of the original;and where the country of the birth of the infant is not proved to the satisfaction of the court, the particulars of that country may, notwithstanding anything in that subsection, be omitted from the order and from the entry in the Adopted Children Register.
- (3) Where upon any application for an adoption order in respect of an infant (not being an infant who has previously been the subject of an adoption order) there is proved to the satisfaction of the court the identity of the infant with a child to which an entry in the Registers of Births relates, any adoption order made in pursuance of the application shall contain a direction to the Registrar General to cause the entry in the Registers of Births to be marked with the word " adopted."
- (4) Where an adoption order is made in respect of an infant who has previously been the subject of an adoption order, the order shall contain a direction to the Registrar General to cause the previous entry in the Adopted Children Register to be marked with the word " re-adopted."
- (5) Where an adoption order is quashed, or an appeal against an adoption order allowed, the court which made the order shall give directions to the Registrar General to cancel any marking of an entry in the Registers of Births and any entry in the Adopted Children Register which was effected in pursuance of the order.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (6) Where the Registrar General is notified by the Registrar General of Births, Deaths and Marriages in Scotland that an adoption order has been made under the Adoption of Children (Scotland) Act, 1930, in respect of an infant to whom an entry in the Registers of Births or the Adopted Children Register relates, the Registrar General shall cause the entry to be marked " adopted (Scotland)," or, as the case may be, " re-adopted (Scotland) " ; and where, after an entry has been marked in pursuance of this subsection, the Registrar General is notified as aforesaid that the adoption order has been quashed, or that an appeal against the adoption order has been allowed, he shall cause the marking to be cancelled.
- (7) A copy of any entry in the Registers of Births or the Adopted Children Register the marking of which is cancelled under this section shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.
- (8) The court by which an adoption order has been made (including, in the case of an order made by a court of summary jurisdiction, a court acting for the same petty sessional division or place) may, on the application of the adopter or of the adopted person, amend the order by the correction of any error in the particulars contained therein; and where an adoption order is so amended the prescribed officer of the court shall cause the amendment to be communicated in the prescribed manner to the Registrar General and any necessary correction of or addition to the Adopted Children Register shall be made accordingly.
- (9) In the case of an adoption order made before the commencement of this Act, the power of the court under the last foregoing subsection shall include power to amend the order—
- (a) by the insertion of the country of the adopted person's birth;
  - (b) (where the order does not specify a precise date as the date of the adopted person's birth) by the insertion of the date which appears to the court to be the date or probable date of his birth ;
- and the provisions of that subsection shall have effect accordingly.
- (10) Subsections (2) and (3) of section eleven of the principal Act, and the Schedule to that Act, shall cease to have effect; and subsection (5) of the said section eleven (which relates to certified copies of entries in the Adopted Children Register) shall have effect as if after the words " the date of the birth " in both places where those words occur in paragraph (b) of the subsection, there were inserted the words " or the country of the birth " .