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 S T A T U T O R Y   I N S T R U M E N T S
 

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1981 No. 1818

**CHILDREN AND YOUNG PERSONS****The Adoption Agencies (Amendment) Regulations 1981***Made* - - - - 16th December 1981*Laid before Parliament* 23rd December 1981*Coming into Operation* 15th February 1982

The Secretary of State for Social Services in relation to England and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred on them by section 32(1), (1A) and (3) of the Adoption Act 1958(a) and section 4(1) of the Children Act 1975(b), and of all other powers enabling them in that behalf, hereby make the following regulations:—

*Citation, commencement and extent*

- 1.—(1) These regulations may be cited as the Adoption Agencies (Amendment) Regulations 1981 and shall come into operation on 15th February 1982.  
 (2) These regulations shall not apply to Scotland.

*Interpretation*

2. In these regulations “the principal regulations” means the Adoption Agencies Regulations 1976(c).

*Amendment of Regulation 2(1) of the principal regulations*

3. In regulation 2(1) of the principal regulations (interpretation)—

(a) in the definition of “adoption agency” for the words “a registered adoption society” there are substituted the words “an approved adoption society”;

(b) for the definition of “case committee” there is substituted the following definition—

“ “adoption panel” means the committee appointed for the purposes of considering any question relating to the adoption of a child; ”;  
 and

(c) for the definition of “registered adoption society” there is substituted the following definition—

“ “approved adoption society” means an adoption society approved under Part I of the 1975 Act; ”.

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(a) 1958 c. 5 (7 Eliz. 2); section 32(1) and (1A) were substituted by paragraph 27(a) of Schedule 3 to the Children Act 1975.

(b) 1975 c. 72. (c) S.I. 1976/1796.

*Substitution for regulation 3 of the principal regulations*

4. For regulation 3 of the principal regulations (registration, etc., of adoption societies) there is substituted the following regulation—

*“ Approval of adoption societies*

3.—(1) An application to the Secretary of State under section 4 of the 1975 Act (approval of adoption societies) shall be made in writing on a form supplied by the Secretary of State.

(2) An unincorporated body of persons shall not apply for approval under section 4 of the 1975 Act.”

*Substitution for regulation 5 of the principal regulations*

5. For regulation 5 of the principal regulations (registration, etc., of adoption societies) there is substituted the following regulation—

*“ Annual reports and information to be provided by approved adoption societies*

5. Every approved adoption society shall—

(a) furnish the Secretary of State with a copy of the society's annual report as soon as is reasonably practicable after the issue thereof ;

(b) notify the Secretary of State in writing of any change in the society's name or in the address of its registered or head office within one month after such change ;

(c) where the society proposes to cease, or expects to cease, to act as an adoption society, so notify the Secretary of State in writing not less than one month, or as soon as is reasonably practicable, before the date when the society will cease, or expects to cease, so to act ; and

(d) where the society has ceased to act as an adoption society, notify the Secretary of State in writing that it has ceased so to act as soon thereafter as is reasonably practicable.”

*Substitution for regulation 6 of the principal regulations*

6. For regulation 6 of the principal regulations (composition of case committees) there is substituted the following regulation—

*“ Composition of adoption panels*

6. An adoption panel shall consist of not less than three persons each of whom shall be competent to judge whether the proposed placing is likely to promote the welfare of the child, and, so far as practicable, shall include at least one man and at least one woman.”

*Amendment of regulation 8 (c), (h) and (g) of the principal regulations*

7. Regulation 8 of the principal regulations (duties of adoption agencies in making arrangements for adoption) is amended as follows—

(a) in paragraphs (c) and (h) for the words “ case committee ” there are

substituted, in each place where they appear, the words “adoption panel”; and

(b) in paragraph (g), for the words “registered adoption society” there are substituted the words “approved adoption society”.

*Amendment of regulation 9 (1) and (2) of the principal regulations*

8. In regulation 9(1) and (2) of the principal regulations (supervision and medical reports on placement for adoption), for the words “case committee” there are substituted, in each place where they appear, the words “adoption panel”.

*Amendment of regulation 10 of the principal regulations*

9. In regulation 10 of the principal regulations (disclosure, etc., of information in relation to the adoption), after the words “execution of his duty;” there are inserted the words “or to a Local Commissioner, appointed under section 23 of the Local Government Act 1974(a), for the purposes of any investigation conducted in accordance with Part III of that Act;”.

*Amendment of regulation 11(a) of the principal regulations*

10. In regulation 11(a) of the principal regulations (disclosure, etc., of information in relation to the adoption), for the words from “except that in the case of a registered adoption society” to the end of the paragraph there are substituted the words “except that in the case of an approved adoption society such records shall be made accessible to the Secretary of State; and”.

*Substitution for regulation 12 of the principal regulations*

11. For regulation 12 of the principal regulations (disclosure, etc., of information in relation to the adoption) there is substituted the following regulation—

“12. An approved adoption society which ceases to operate as an adoption society shall transfer its records—

(a) to the local authority in whose area the head office of the society is situated; or

(b) in the case of a society which amalgamates with another approved adoption society, to the new approved adoption society.”.

*Revocation*

12. Regulation 4 of and Schedules 1 and 2 to the principal regulations are hereby revoked.

*Norman Fowler,*  
Secretary of State for Social Services.

14th December 1981.

*Nicholas Edwards,*  
Secretary of State for Wales.

16th December 1981.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations amend the Adoption Agencies Regulations 1976 so as to make provision for applications to be made by bodies to the Secretary of State under section 4 of the Children Act 1975 for his approval to their acting as adoption societies. The regulations prohibit unincorporated bodies from applying. They require information to be given to the Secretary of State in connection with applications and from time to time.

The regulations also provide for the disclosure of information to a Local Commissioner for the purposes of investigations conducted in accordance with Part III of the Local Government Act 1974, for the production of records to the Secretary of State, and for the transfer of records by an approved adoption society which ceases to operate as such.

The regulations revoke, consequent upon the amendments, parts of the 1976 Regulations.

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