
STATUTORY INSTRUMENTS

2005 No. 2897

**The Adoption and Children Act 2002 (Commencement
No. 10 Transitional and Savings Provisions) Order 2005**

PART 3

TRANSITIONAL ARRANGEMENTS

Non-Convention and Hague Convention cases – functions imposed on the local authority following receipt of notice of intention to adopt

8.—(1) In a case where notice of intention to adopt is given before the appointed day by a prospective adopter as a consequence of regulation 5(b) of the Adoption (Bringing Children into the United Kingdom) Regulations 2003 or regulation 15 of the Hague Convention Regulations, regulation 5 of the Foreign Element Regulations shall apply subject to paragraphs (2) and (3).

(2) Where the local authority have not visited the child and prospective adopter prior to the appointed day and more than one week has elapsed since the receipt of the notice of intention to adopt, 30th December 2005 shall be treated as the date of receipt of that notice for the purposes of regulation 5(1)(e) and (f) of the Foreign Element Regulations.

(3) Where the local authority have visited the child and prospective adopter prior to the appointed day—

- (a) the authority must, if they have not already done so, carry out the functions in respect of reviews and frequency of visits imposed by regulation 5(e) to (h) of the Foreign Element Regulations; and
- (b) in the case where the review considering the matters referred to in regulation 5(1)(g) of the Foreign Element Regulations has not taken place before the appointed day, 30th December 2005 shall be treated as the date of receipt of the notice of intention to adopt for the purposes of regulation 5(1)(f).