
STATUTORY INSTRUMENTS

2005 No. 389

The Adoption Agencies Regulations 2005

PART 1

GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Adoption Agencies Regulations 2005 and shall come into force on 30th December 2005.

(2) These Regulations apply to England only.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Adoption and Children Act 2002;

“the 1989 Act” means the Children Act 1989;

“adoption panel” means a panel established in accordance with regulation 3;

“adoption placement plan” has the meaning given in regulation 35(2);

“adoption placement report” means the report prepared by the adoption agency in accordance with regulation 31(2)(d);

“adoption support services” has the meaning given in section 2(6)(a) of the Act and in any regulations made under section 2(6)(b) of the Act;

“adoptive family” has the meaning given in regulation 31(2)(a);

“CAFCASS” means the Children and Family Court Advisory and Support Service⁽¹⁾;

“child’s case record” has the meaning given in regulation 12;

“child’s health report” means the report obtained in accordance with regulation 15(2)(b);

“child’s permanence report” means the report prepared by the adoption agency in accordance with regulation 17(1);

“independent member” in relation to an adoption panel has the meaning given in regulation 3(3)(e);

“independent review panel” means a panel constituted under section 12 of the Act;

“joint adoption panel” means an adoption panel established in accordance with regulation 3(5);

“medical adviser” means the person appointed as the medical adviser by the adoption agency in accordance with regulation 9(1);

“proposed placement” has the meaning given in regulation 31(1);

“prospective adopter’s case record” has the meaning given in regulation 22(1);

⁽¹⁾ See section 11(1) of the Criminal Justice and Court Services Act 2000 (c. 43).

“prospective adopter’s report” means the report prepared by the adoption agency in accordance with regulation 25(5);

“prospective adopter’s review report” means the report prepared by the adoption agency in accordance with regulation 29(4)(a);

“qualifying determination” has the meaning given in regulation 27(4)(a);

“registration authority” means the Commission for Social Care Inspection⁽²⁾;

“relevant foreign authority” means a person, outside the British Islands performing functions in the country in which the child is, or in which the prospective adopter is, habitually resident which correspond to the functions of an adoption agency⁽³⁾ or to the functions of the Secretary of State in respect of adoptions with a foreign element;

“relevant post-qualifying experience” means post-qualifying experience in child care social work including direct experience in adoption work;

“section 83 case” means a case where a person who is habitually resident in the British Islands intends to bring, or to cause another to bring, a child into the United Kingdom in circumstances where section 83 of the Act (restriction on bringing children into the United Kingdom) applies;

“social worker” means a person who is registered as a social worker in a register maintained by the General Social Care Council or the Care Council for Wales under section 56 of the Care Standards Act 2000⁽⁴⁾ or in a corresponding register maintained under the law of Scotland or Northern Ireland;

“vice chair” has the meaning given in regulation 3(4) or, as the case may be, (5)(c);

“working day” means any day other than a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971⁽⁵⁾.

(2) See section 42 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43).

(3) See section 2(1) of the Act for the definition of adoption agency.

(4) 2000 c. 14.

(5) 1971 c. 80.