
STATUTORY INSTRUMENTS

2005 No. 389

The Adoption Agencies Regulations 2005

PART 8

MISCELLANEOUS

Contact: supplementary

47.—(1) Where an adoption agency has decided under section 27(2) of the Act to refuse to allow the contact that would otherwise be required by virtue of an order under section 26 of the Act, the agency must, as soon as the decision is made, inform the persons specified in paragraph (3) and notify them of the decision, the date of the decision, the reasons for the decision and the duration of the period.

(2) The terms of an order under section 26 of the Act may be departed from by agreement between the adoption agency and any person for whose contact with the child the order provides subject to the following conditions—

- (a) where the child is of sufficient age and understanding, subject to his agreement;
- (b) where the child is placed for adoption, subject to consultation before the agreement is reached, with the prospective adopter with whom the child is placed for adoption; and
- (c) written confirmation by the agency to the persons specified in paragraph (3) of the terms of that agreement.

(3) The following persons are specified for the purposes of paragraphs (1) and (2)—

- (a) the child, if the adoption agency considers he is of sufficient age and understanding;
- (b) the person in whose favour the order under section 26 was made; and
- (c) if the child is placed for adoption, the prospective adopter.