
STATUTORY INSTRUMENTS

2005 No. 392

The Adoptions with a Foreign Element Regulations 2005

PART 3

ADOPTIONS UNDER THE CONVENTION

CHAPTER 1

**REQUIREMENTS, PROCEDURE, RECOGNITION AND EFFECT OF
ADOPTIONS WHERE THE UNITED KINGDOM IS THE RECEIVING STATE**

Procedure in respect of carrying out an assessment

15.—(1) Regulation 22 of the Agencies Regulations (requirement to consider application for an assessment of suitability) or corresponding Welsh provision shall apply as if the reference to an application in those Regulations or corresponding Welsh provision was to an application made in accordance with regulation 13.

(2) Where the adoption agency is satisfied that the requirements in—

- (a) regulation 14; and
- (b) regulations 23 (police checks) and 24 (preparation for adoption) of the Agencies Regulations or corresponding Welsh provision,

have been met, regulations 25 (prospective adopter's report) and 26 (adoption panel) of the Agencies Regulations or corresponding Welsh provisions shall apply.

(3) The adoption agency must place on the prospective adopter's case record any information obtained as a consequence of this Chapter⁽¹⁾.

(4) The adoption agency must include in the prospective adopter's report—

- (a) the State of origin from which the prospective adopter wishes to adopt a child;
- (b) confirmation that the prospective adopter is eligible to adopt a child under the law of that State;
- (c) any additional information obtained as a consequence of the requirements of that State; and
- (d) the agency's assessment of the prospective adopter's suitability to adopt a child who is habitually resident in that State.

(5) The references to information in regulations 25(5) and 26(2) of the Agencies Regulations or corresponding Welsh provisions shall include information obtained by the adoption agency or adoption panel as a consequence of this regulation.

(1) An adoption agency is required to set up a case record in respect of a prospective adopter under regulation 22(1) of the Agencies Regulations or corresponding Welsh provision.