
WELSH STATUTORY INSTRUMENTS

2005 No. 1514

The Adoption Support Agencies (Wales) Regulations 2005

PART 1
GENERAL

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Adoption Support Agencies (Wales) Regulations 2005 and they come into force on 30 December 2005.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations —

“the 2000 Act” means the Care Standards Act 2000⁽¹⁾;

“the 2002 Act” means the Adoption and Children Act 2002⁽²⁾;

“the Adoption Agencies (Wales) Regulations” means the Adoption Agencies (Wales) Regulations 2005⁽³⁾

“adoption support services” (“*gwasanaethau cymorth mabwysiadu*”) is to be construed in accordance with regulation 2(2);

“adoptive child” (“*plentyn mabwysiadol*”) means a child who is an agency adoptive child or a non-agency adoptive child;

“adoptive parent” (“*rhiant mabwysiadol*”) means a person:

- (a) who an adoption agency has decided in accordance with 34(1) of the Adoption Agencies (Wales) Regulations is a suitable adoptive parent for a particular child;
- (b) with whom an adoption agency has placed a child for adoption;
- (c) who has given notice under section 44 of the 2002 Act of his or her intention to apply for an adoption order for a child;
- (d) who has adopted a child; or
- (e) who has adopted a child who has subsequently attained the age of 18;

but does not include a person who is the step parent or natural parent of the child or was the step parent of the child before he or she adopted the child.

(4) In these Regulations —

“agency” (“*asiantaeth*”) means an adoption support agency;

“agency adoptive child” (“*plentyn mabwysiadol drwy asiantaeth*”) means a child —

(1) 2000 c. 14.

(2) 2002 c. 38

(3) S.I.2005/1313 (W.95).

- (a) in respect of whom an adoption agency has decided in accordance with regulation 19(1) of the Adoption Agencies (Wales) Regulations is a child who should be placed for adoption;
- (b) whom an adoption agency has placed for adoption; or
- (c) who has been adopted after having been placed for adoption by an adoption agency;

“child” (*“plentyn”*) means a person who has not attained the age of 18 years;

“non-agency adoptive child” (*“plentyn mabwysiadol heb fod drwy asiantaeth”*) means a child —

- (a) in respect of whom a person —
 - (i) has given notice under section 44 of the 2002 Act of his or her intention to apply for an adoption order; and
 - (ii) is not the natural parent or step parent of the child; or
- (b) who has been adopted by a person who —
 - (i) is not the natural parent of the child; and
 - (ii) was not the step parent of the child before he or she adopted the child but does not include an agency adoptive child.

“organisation” (*“corff”*) means a body corporate;

“registration authority” (*“awdurdod cofrestru”*) means the National Assembly for Wales;

“registered manager” (*“rheolwr cofrestredig”*) means, in relation to an agency, a person who is registered under Part 2 of the 2000 Act as the manager of the agency;

“registered person” (*“person coprestredig”*) means, in relation to an agency, any person who is the registered provider or the registered manager;

“registered provider” (*“darparydd cofrestredig”*) means, in relation to an agency, a person who is registered under Part 2 of the 2000 Act as the person carrying on the agency;

“related person” (*“person perthynol”*) means —

- (a) a relative within the meaning of section 144 (1) of the 2002 Act; or
- (b) any person with whom the adoptive child has a relationship which appears to the local authority to be beneficial to the welfare of the child having regard to the matters referred to in sub paragraphs (i) to (iii) of section 1(4) (f) of the 2002 Act;

“responsible individual” (*“unigolyn cynfrifol”*) shall be construed in accordance with regulation 5(2);

“statement of purpose” (*“datganiad o ddiben”*) means the written statement compiled in accordance with regulation 3(1);

“subject” (*“gwrthrych”*) in relation to provision of adoption support services under regulations 2(2)(e) or (f) means a person with whom the person requesting the service seeks contact or about whom he or she seeks information; and

“working day” (*“diwrnod gwaith”*) 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(4).

(5) In these Regulations —

- (a) any reference to a person’s adoptive child is to a child who is an adoptive child in relation to that person;

- (b) any reference to a child's adoptive parent is to a person who is an adoptive parent in relation to that child;
- (c) references (other than references in this sub paragraph) to a child being placed for adoption —
 - (i) are to the child being placed for adoption with a prospective adopter by an adoption agency;
 - (ii) include where the child has been placed with a person by an adoption agency, leaving the child with him or her as a prospective adopter;
- (d) any reference to employing a person includes employing a person whether or not for payment, and whether under a contract of service or a contract for services, and allowing a person to work as a volunteer, and references to an employee or to a person being employed shall be construed accordingly.