
WELSH STATUTORY INSTRUMENTS

2005 No. 1819

The Independent Review of Determinations
(Adoption) (Wales) Regulations 2005

PART 1

GENERAL

Title, commencement and application

1.—(1) The title of these Regulations is the Independent Review of Determinations (Adoption) (Wales) Regulations 2005 and come into force on 30 December 2005.

(2) These Regulations apply in relation to Wales.

(3) These Regulations will apply to cases where the prospective adopter's suitability to be an adoptive parent is considered by an adoption panel for the first time or is being reviewed by an adoption panel on or after 1 April 2006 only.

Interpretation

2.—(1) In these Regulations —

“the Act” (“*y Ddeddf*”) means the Adoption and Children Act 2002;

“the 2005 Regulations” (“*Rheoliadau 2005*”) means the Adoption Agencies (Wales) Regulations 2005(1);

“adoption agency” (“*asiantaeth fabwysiadu*”) means an appropriate voluntary organisation or local authority;

“adoption panel” (“*panel mabwysiadu*”) means a panel established in accordance with regulation 3 of the 2005 Regulations;

“National Assembly” (“*Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“prospective adopter” (“*darpar fabwysiadwr*”) means a person who proposes to adopt a child;

“working day” (“*diwrnod gwaith*”) means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971(2).

(2) In these Regulations, unless the context requires otherwise, a reference —

(a) to a numbered regulation is to the regulation in these Regulations bearing that number;

(b) in a regulation to a numbered paragraph is to the paragraph in that regulation bearing that number;

(c) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

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

(2) 1971 c. 80.

Qualifying determinations

3. For the purposes of section 12(2) of the Act, a qualifying determination is a determination that has been made by an adoption agency in accordance with the 2005 Regulations as follows:

- (a) where under regulation 28(4) of the 2005 Regulations the agency do not propose to approve a prospective adopter as suitable to be an adoptive parent;
- (b) where the agency consider that a prospective adopter is no longer suitable to be an adoptive parent following a review under regulation 30 of the 2005 Regulations.