

SCHEDULES

SCHEDULE 1

Section 7

THE ADOPTION AND CHILDREN ACT REGISTER

- 1 The Adoption and Children Act 2002 is amended as follows.
- 2 (1) Section 125 (Adoption and Children Act Register) is amended as follows.
 - (2) In subsection (1) for “Her Majesty may by Order in Council make provision for the Secretary of State to” substitute “The Secretary of State may”.
 - (3) After subsection (1) insert—
 - “(1A) Regulations may provide that the register may contain—
 - (a) prescribed information about children who a Welsh, Scottish or Northern Irish adoption agency is satisfied are suitable for adoption,
 - (b) prescribed information about prospective adopters who a Welsh, Scottish or Northern Irish adoption agency is satisfied are suitable to adopt a child,
 - (c) prescribed information about persons included in the register in pursuance of paragraph (a) or (b) in respect of things occurring after their inclusion.”
 - (4) In subsection (2) for “an Order under this section” substitute “regulations”.
 - (5) In subsection (4) for “An Order under this section” substitute “Regulations”.
- 3 (1) Section 126 (use of an organisation to establish the register) is amended as follows.
 - (2) In subsection (1) omit “under an Order under section 125”.
 - (3) In subsection (3) omit “(or general application in any part of Great Britain)”.
 - (4) Omit subsection (4).
- 4 (1) Section 127 (use of an organisation as agency for payments) is amended as follows.
 - (2) In subsection (1) for “An Order under section 125” substitute “Regulations”.
 - (3) In subsection (2) omit “(or general application in any part of Great Britain)”.
 - (4) Omit subsection (3).
- 5 (1) Section 128 (supply of information for the register) is amended as follows.
 - (2) In subsection (1) for “An Order under section 125” substitute “Regulations”.
 - (3) In subsection (2) for “the Order” substitute “regulations”.
 - (4) In subsection (3) for “An Order under section 125” substitute “Regulations”.
- 6 (1) Section 129 (disclosure of information) is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In subsection (1) for “or (3)” substitute “, (2A) or (3) or section 128A”.
- (3) After subsection (2) insert—
- “(2A) Regulations may make provision permitting the disclosure of prescribed information entered in the register, or compiled from information entered in the register—
- (a) to an adoption agency or to a Welsh, Scottish or Northern Irish adoption agency for any prescribed purpose, or
- (b) for the purpose of enabling the information to be entered in a register which is maintained in respect of Wales, Scotland or Northern Ireland and which contains information about children who are suitable for adoption or prospective adopters who are suitable to adopt a child.”
- (4) In subsection (4)—
- (a) for “An Order under section 125” substitute “Regulations”, and
- (b) after “(2)” insert “or (2A)”.
- (5) In subsection (5) omit paragraph (b) (and the “or” which precedes it).
- (6) In subsection (6) after “(2)” insert “, (2A)”.
- (7) In subsection (7)—
- (a) for “An Order under section 125” substitute “Regulations”,
- (b) in paragraph (a) after “(2)” insert “or (2A)”,
- (c) after paragraph (a) (and before the “or” which follows it) insert—
- “(aa) by a prescribed Welsh, Scottish or Northern Irish adoption agency in respect of information disclosed under subsection (2A),”, and
- (d) in paragraph (b) for “to whom information is disclosed under subsection (3)” substitute “in respect of information disclosed under subsection (2A) or (3)”.
- 7 Section 130 (territorial application) is repealed.
- 8 (1) Section 131 (supplementary) is amended as follows.
- (2) In subsection (1)—
- (a) before paragraph (a) insert—
- “(za) adoption agency” means—
- (i) a local authority in England,
- (ii) a registered adoption society whose principal office is in England,”,
- (b) in paragraph (b) for “an Order under section 125” substitute “regulations”,
- (c) after paragraph (c) insert—
- “(ca) Welsh adoption agency” means—
- (i) a local authority in Wales,
- (ii) a registered adoption society whose principal office is in Wales.”, and
- (d) omit paragraphs (d) and (e).
- (3) In subsection (2) after “sections” insert “(except sections 125(1A) and 129(2A))”.

Status: This is the original version (as it was originally enacted).

(4) After subsection (2) insert—

“(2A) For the purposes of sections 125(1A) and 129(2A)—

- (a) a child is suitable for adoption if a Welsh, Scottish or Northern Irish adoption agency is satisfied that the child ought to be placed for adoption,
- (b) prospective adopters are suitable to adopt a child if a Welsh, Scottish or Northern Irish adoption agency is satisfied that they are suitable to have a child placed with them for adoption.”

(5) Omit subsections (4) to (7).

9 In section 142 (supplementary and consequential provision), in subsection (4) omit the words from “or of Her Majesty” to the end.

10 In section 144 (general interpretation etc), in subsection (2)—

- (a) omit “Order in Council or”, and
- (b) in paragraph (b) omit “Order or, as the case may be,”.

11 (1) Sections 125 to 131 cease to have effect in relation to Scotland.

(2) Accordingly, in section 149 (extent), in subsection (4) omit paragraph (b).