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WELSH STATUTORY INSTRUMENTS

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**2016 No. 413**

**The Social Services and Well-being (Wales) Act  
2014 (Consequential Amendments) Regulations 2016**

*Adoption and Children Act 2002 (c. 38)*

- 188.** The Adoption and Children Act 2002 is amended as follows.
- 189.** In section 2(5) (basic definitions) insert in the appropriate place in alphabetical order—  
“the 2014 Act” means the [Social Services and Well-being \(Wales\) Act 2014 \(anaw 4\)](#),”.
- 190.** In section 3 (requirement for local authorities to maintain an adoption service), in subsection (6) for “(which include” substitute “or for the purposes of the 2014 Act (which, in each case, include”.
- 191.** In section 30(6) (general prohibitions on removal) after “1989 Act” insert “or section 76(5) of the 2014 Act”.
- 192.** In section 34(6) (placement orders: prohibition on removal) after “1989 Act” insert “or section 76(5) of the 2014 Act (removal of children from local authority accommodation)”.
- 193.** In section 37 (applicants for adoption) after “1989 Act” insert “or section 76(5) of the 2014 Act”.
- 194.** In section 38 (local authority foster parents)—
- (a) in subsection (3)(b) after “1989 Act” insert “or section 76(5) of the 2014 Act”;
  - (b) in subsection (5)(a) after “1989 Act” insert “or section 76(5) of 2014 Act”;
  - (c) in subsection (5)(c) after “1989 Act” insert “or section 76(5) of the 2014 Act”.
- 195.** In section 39 (partners of parents)—
- (a) in subsection (2)(b) after “1989 Act” insert “or section 76(5) of 2014 Act”;
  - (b) in subsection (3)(c) after “1989 Act” insert “or section 76(5) of the 2014 Act”.
- 196.** In section 40(2)(b) (other non-agency cases) after “1989 Act” insert “or section 76(5) of the 2014 Act”.
- 197.** In section 53 (modification of 1989 Act in relation to adoption)—
- (a) in subsection (1) omit “of the 1989 Act”;
  - (b) for subsection (2) substitute—
    - “(2) The provisions are—
    - (a) section 22(4)(b), (c) and (d) and (5)(b) of the 1989 Act (duty to ascertain wishes and feelings of certain persons);
    - (b) sections 6(4)(b) and 78(3)(a) of the 2014 Act (duty to ascertain wishes and feelings of certain persons);
    - (c) paragraphs 15 and 21 of Schedule 2 to the 1989 Act (promoting contact with parents and parents’ obligations to contribute towards maintenance);

- (d) section 95 of and paragraph 1 of Schedule 1 to the 2014 Act (promoting contact with parents and parents’ obligations to contribute towards maintenance).”;
- (c) in subsection (3)(a) for “that Act” substitute “the 1989 Act”;
- (d) in subsection (4) for “that Act (contributions towards maintenance of children looked after by local authorities)” substitute “the 1989 Act (contributions towards maintenance of children looked after by local authorities) or under Schedule 1 to the 2014 Act (contributions towards maintenance of looked after children)”;
- (e) in the heading to the section, after “1989 Act” insert “and 2014 Act”.

**198.** In Schedule 6—

- (a) after “(where stated) of the 1989 Act” insert “or the 2014 Act”;
- (b) in the table, insert in the appropriate place in alphabetical order—

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“the 2014 Act	section 2(5)”;
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- (c) in the table, for the expression “child looked after by a local authority” substitute—

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“child looked after by a local authority (in relation to a local authority in England)	section 22 of the 1989 Act
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child looked after by a local authority (in relation to a local authority in Wales)	section 74 of the 2014 Act”;
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- (d) in the table, for the expression “local authority foster parent” substitute—

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“local authority foster parent	section 105(1) of the 1989 Act”.
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