



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 6

Adoptions with a foreign element

Miscellaneous

Modification of section 66 for Hague Convention adoptions

91.—(1) If the High Court is satisfied, on an application under this section, that each of the following conditions is met in the case of a Convention adoption, it may direct that section 66(3) does not apply, or does not apply to any extent specified in the direction.

(2) The conditions are—

- (a) that under the law of the country in which the adoption was effected, the adoption is not a full adoption;
- (b) that the consents referred to in Article 4(c) and (d) of the Convention have not been given for a full adoption or that the United Kingdom is not the receiving State (within the meaning of Article 2 of the Convention);
- (c) that it would be more favourable to the adopted child for a direction to be given under subsection (1).

(3) A full adoption is an adoption by virtue of which the child is to be treated in law as not being the child of any person other than the adopters or adopter.

(4) In relation to a direction under this section and an application for it, Articles 35 and 36 of the Matrimonial and Family Proceedings (Northern

Ireland) Order 1989 (declarations under Part 5 of that Order as to status) apply as they apply in relation to a direction under that Part and an application for such a direction.