



Adoption Act 1976

1976 CHAPTER 36

PART I

THE ADOPTION SERVICE

The Adoption Service

1 Establishment of Adoption Service.

- (1) It is the duty of every local authority to establish and maintain within their area a service designed to meet the needs, in relation to adoption, of—
 - (a) children who have been or may be adopted,
 - (b) parents and guardians of such children, and
 - (c) persons who have adopted or may adopt a child,and for that purpose to provide the requisite facilities, or secure that they are provided by [^{F1}appropriate voluntary organisations].
- (2) The facilities to be provided as part of the service maintained under subsection (1) include—
 - (a) temporary board and lodging where needed by pregnant women, mothers or children;
 - (b) arrangements for assessing children and prospective adopters, and placing children for adoption;
 - (c) counselling for persons with problems relating to adoption.
- (3) The facilities of the service maintained under subsection (1) shall be provided in conjunction with the local authority's other social services and with [^{F2}appropriate voluntary organisations] in their area, so that help may be given in a co-ordinated manner without duplication, omission or avoidable delay.

^{F3}[(3A) In this Part, references to adoption are to the adoption of children, wherever they may be habitually resident, effected under the law of any country or territory, whether within or outside the British Islands.]

Status: Point in time view as at 06/10/2003.

Changes to legislation: Adoption Act 1976, Cross Heading: The Adoption Service is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(4) The services maintained by local authorities under subsection (1) may be collectively referred to as “the Adoption Service”, and a local authority or [^{F4}appropriate voluntary organisation] may be referred to as an adoption agency.

[^{F5}(5) In this Act “appropriate voluntary organisation” means a voluntary organisation which is an adoption society in respect of which a person is registered under Part II of the Care Standards Act 2000.]

Textual Amendments

- F1** Words in s. 1(1) substituted (30.1.2003 for W., 30.4.2003 in so far as not already in force) by Care Standards Act 2000 (c. 14), s. 122, **Sch. 4 para. 5(2)(a)**; S.I. 2003/152, art. 2(1)(d); S.I. 2003/365, art. 3(5)(c)
- F2** Words in s. 1(3) substituted (30.1.2003 for W., 30.4.2003 in so far as not already in force) by Care Standards Act 2000 (c. 14), s. 122, **Sch. 4 para. 5(2)(a)**; S.I. 2003/152, art. 2(1)(d); S.I. 2003/365, art. 3(5)(c)
- F3** S. 1(3A) inserted (30.4.2001) by 1999 c. 18, s. 9; S.I. 2001/1279, art. 2
- F4** Words in s. 1(4) substituted (30.1.2003 for W., 30.4.2003 in so far as not already in force) by Care Standards Act 2000 (c. 14), s. 122, **Sch. 4 para. 5(2)(a)**; S.I. 2003/152, art. 2(1)(d); S.I. 2003/365, art. 3(5)(c)
- F5** S. 1(5) inserted (30.1.2003 for W., 24.2.2003 for E. for specified purposes, 30.4.2003 in so far as not already in force) by Care Standards Act 2000 (c. 14), s. 122, **Sch. 4 para. 5(2)(b)**; S.I. 2003/152, art. 2(1)(d); S.I. 2003/365, art. 3(5)(c)

Modifications etc. (not altering text)

- C1** S. 1(1) extended (10.3.2003 for E. for specified purposes, 6.10.2003 for E. in so far as not already in force) by Adoption and Children Act 2002 (c. 38), s. 148(1), **Sch. 4 para. 3(1)** (with Sch. 4 paras. 6-8); S.I. 2003/366, art. 2(2)(a),(6)(a)

2 Local authorities’ social services.

The social services referred to in section 1(3) are the functions of a local authority which [^{F6}are social services functions within the meaning of Local Authority Social Services Act 1970], including, in particular but without prejudice to the generality of the foregoing, a local authority’s functions

- [^{F7}(a) under the Children Act 1989, relating to family assistance orders, local authority support for children and families, care and supervision and emergency protection of children, community homes, voluntary homes and organisations, [^{F8}private] children’s homes, private arrangements for fostering children, child minding and day care for young children and children accommodated by [^{F9}Health Authorities, Special Health Authorities][^{F10}Primary Care Trusts][^{F11}National Health Service trusts] and local education authorities or in [^{F8}care homes, independent hospitals or schools]; and
- (b) under the National Health Service Act 1977, relating to the provision of care for expectant and nursing mothers.]

Textual Amendments

- F6** Words in s. 2 substituted (26.10.2000 for E. and 28.7.2001 for W.) by 2000 c. 22, ss. 107, 108(4), **Sch. 5 para. 16**; S.I. 2000/2849, art. 2

Status: Point in time view as at 06/10/2003.

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- F7** S. 2(a)(b) substituted (14.10.1991) for words in s. 2 by Children Act 1989 (c. 41, SIF 20), s. 88, **Sch. 10 para. 1** (with Sch. 14 para. 1(1)); S.I.1991/828, **art.3(2)**
- F8** Words in s. 2(a) substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 5(3); S.I. 2001/4150, art. 3(3) (a) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, **art. 3(3)(d)** (with art. 3(4)-(10)) (subject to transitional provisions in Schs. 1-3)
- F9** Words in s. 2 substituted (1.4.1996) by 1995 c. 17, s. 2(1), **Sch. 1 Pt. III para. 101** (with Sch. 2 paras. 6, 16)
- F10** Words in s. 2(a) inserted (8.2.2000) by S.I. 2000/90, **art. 3 Sch. 1 para. 12**
- F11** Words inserted by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(1), **Sch. 9 para. 17**

Status:

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