



Adoption Act 1976

1976 CHAPTER 36

PART II

ADOPTION ORDERS

Freeing for adoption

20 Revocation of s. 18 order

- (1) The former parent, at any time more than 12 months after the making of the order under section 18 when—
 - (a) no adoption order has been made in respect of the child, and
 - (b) the child does not have his home with a person with whom he has been placed for adoption,may apply to the court which made the order for a further order revoking it on the ground that he wishes to resume the parental rights and duties.
- (2) While the application is pending the adoption agency having the parental rights and duties shall not place the child for adoption without the leave of the court.
- (3) Where an order freeing a child for adoption is revoked under this section—
 - (a) the parental rights and duties relating to the child are vested in the individual or, as the case may be, the individuals in whom they vested immediately before that order was made ;
 - (b) if the parental rights and duties, or any of them, vested in a local authority or voluntary organisation immediately before the order freeing the child for adoption was made, those rights and duties are vested in the individual, or as the case may be, the individuals in whom they vested immediately before they were vested in the authority or organisation ; and
 - (c) any duty extinguished by virtue of section 12(3)(b) is forthwith revived, but the revocation does not affect any right or duty so far as it relates to any period before the date of the revocation.

Status: This is the original version (as it was originally enacted).

- (4) Subject to subsection (5), if the application is dismissed on the ground that to allow it would contravene the principle embodied in section 6—
- (a) the former parent who made the application shall not be entitled to make any further application under subsection (1) in respect of the child, and
 - (b) the adoption agency is released from the duty of complying further with section 19(3) as respects that parent.
- (5) Subsection (4)(a) shall not apply where the court which dismissed the application gives leave to the former parent to make a further application under subsection (1), but such leave shall not be given unless it appears to the court that because of a change in circumstances or for any other reason it is proper to allow the application to be made.