



# Adoption Act 1976

## 1976 CHAPTER 36

### PART III

#### CARE AND PROTECTION OF CHILDREN AWAITING ADOPTION

##### *Restrictions on removal of children*

#### **30 Return of children placed for adoption by adoption agencies**

- (1) Subject to subsection (2), at any time after a child has been delivered into the actual custody of any person in pursuance of arrangements made by an adoption agency for the adoption of the child by that person, and before an adoption order has been made on the application of that person in respect of the child,—
  - (a) that person may give notice to the agency of his intention not to retain the custody of the child ; or
  - (b) the agency may cause notice to be given to that person of their intention not to allow the child to remain in his custody.
- (2) No notice under paragraph (b) of subsection (1) shall be given in respect of a child in relation to whom an application has been made for an adoption order except with the leave of the court to which the application has been made.
- (3) Where a notice is given to an adoption agency by any person or by an adoption agency to any person under subsection (1), or where an application for an adoption order made by any person in respect of a child placed in his actual custody by an adoption agency is refused by the court or withdrawn, that person shall, within 7 days after the date on which notice was given or the application refused or withdrawn, as the case may be, cause the child to be returned to the agency, who shall receive the child.
- (4) Where the period specified in an interim order made under section 25 (whether as originally made or as extended under subsection (2) of that section) expires without an adoption order having been made in respect of the child, subsection (3) shall apply as if the application for an adoption order upon which the interim order was made, had been refused at the expiration of that period.

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*Status: This is the original version (as it was originally enacted).*

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- (5) It shall be sufficient compliance with the requirements of subsection (3) if the child is delivered to, and is received by, a suitable person nominated for the purpose by the adoption agency.
- (6) Where an application for an adoption order is refused the court may, if it thinks fit at any time before the expiry of the period of 7 days mentioned in subsection (3), order that period to be extended to a duration, not exceeding 6 weeks, specified in the order.
- (7) Any person who contravenes the provisions of this section shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding £400 or to both; and the court by which the offender is convicted may order the child in respect of whom the offence is committed to be returned to his parent or guardian or to the adoption agency which made the arrangements referred to in subsection (1).