



Adoption Act 1976

1976 CHAPTER 36

PART III

CARE AND PROTECTION OF CHILDREN AWAITING ADOPTION

Protected children

32 Meaning of " protected child "

- (1) Where a person gives notice in pursuance of section 22(1) to the local authority within whose area he lives of his intention to apply for an adoption order in respect of a child, the child is for the purposes of this Part a protected child while he has his home with that person.
- (2) A child shall be deemed to be a protected child for the purposes of this Part if he is a protected child within the meaning of section 37 of the Adoption Act 1958.
- (3) A child is not a protected child by reason of any such notice as is mentioned in subsection (1) while—
 - (a) he is in the care of any person in any such school, home or institution as is mentioned in subsection (3) or (5) of section 2 of the Children Act 1958 ; or
 - (b) he is resident in a residential home for mentally disordered persons as defined by section 19 of the Mental Health Act 1959 ; or
 - (c) he is liable to be detained or subject to guardianship under the said Act of 1959.
- (4) A protected child ceases to be a protected child—
 - (a) on the appointment of a guardian for him under the Guardianship of Minors Act 1971;
 - (b) on the notification to the local authority for the area where the child has his home that the application for an adoption order has been withdrawn ;
 - (c) on the making of any of the following orders in respect of the child—
 - (i) an adoption order;

Status: This is the original version (as it was originally enacted).

- (ii) an order under section 26 ;
- (iii) a custodianship order ;
- (iv) an order under section 42, 43 or 44 of the Matrimonial Causes Act 1973 ; or
- (d) on his attaining the age of 18 years,
whichever first occurs.