SCHEDULES

SCHEDULE 10

AMENDMENTS OF ADOPTION LEGISLATION

PART I

AMENDMENTS OF ADOPTION ACT 1976 (C. 36)

30 (1) Section 72(1) (interpretation) shall be amended as follows.

(2) In the definition of "adoption agency" for the words from "section 1" to the end there shall be substituted "—

(a) section 1 of the Adoption (Scotland) Act 1978; and

(b) Article 3 of the Adoption (Northern Ireland) Order 1987."

(3) For the definition of "adoption order" there shall be substituted—

""adoption order"—

(a) means an order under section 12(1); and

(b) in sections 12(3) and (4), 18 to 20, 27, 28 and 30 to 32 and in the definition of "British adoption order" in this subsection includes an order under section 12 of the Adoption (Scotland) Act 1978 and Article 12 of the Adoption (Northern Ireland) Order 1987 (adoption orders in Scotland and Northern Ireland respectively); and

(c) in sections 27, 28 and 30 to 32 includes an order under section 55, section 49 of the Adoption (Scotland) Act 1978 and Article 57 of the Adoption (Northern Ireland) Order 1987 (orders in relation to children being adopted abroad)."

(4) For the definition of "British adoption order" there shall be substituted—

""British adoption order" means—

(a) an adoption order as defined in this subsection, and

(b) an order under any provision for the adoption of a child effected under the law of any British territory outside the United Kingdom."

(5) For the definition of "guardian" there shall be substituted—

""guardian" has the same meaning as in the Children Act 1989."

(6) In the definition of "order freeing a child for adoption" for the words from "section 27(2)" to the end there shall be substituted "sections 27(2) and 59 includes an order under—

(a) section 18 of the Adoption (Scotland) Act 1978; and

(b) Article 17 or 18 of the Adoption (Northern Ireland) Order 1987".

(7) After the definition of "overseas adoption" there shall be inserted—

"parent" means, in relation to a child, any parent who has parental responsibility for the child under the Children Act 1989;

"parental responsibility" and "parental responsibility agreement" have the same meaning as in the Children Act 1989.

(8) After the definition of "United Kingdom national" there shall be inserted—

""upbringing" has the same meaning as in the Children Act 1989."

(9) For section 72(1A) there shall be substituted the following subsections—

"(1A) In this Act, in determining with what person, or where, a child has his home, any absence of the child at a hospital or boarding school and any other temporary absence shall be disregarded.

(1B) In this Act, references to a child who is in the care of or looked after by a local authority have the same meaning as in the Children Act 1989."