

These notes refer to the Adoption (Intercountry Aspects) Act 1999 (c.18) which received Royal Assent on 27 July 1999

ADOPTION (INTERCOUNTRY ASPECTS) ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Intercountry adoptions – sections 9 to 13

Section 11. Six months residence required for certain intercountry adoptions

53. This section inserts a new subsection (4) to section 13 of the 1976 Act and the 1978 Act (child to live with adopters before order is made). It provides that where a child habitually resident outside the British Islands is to be adopted in England, Wales or Scotland by an adoption order or a Convention adoption order, the child is required to have had his home with the prospective adopters for a period of at least 6 months before an adoption order may be made. The period of 6 months is only to apply to those cases where the placement of the child was made by an adoption agency. (See section 13.)
54. In those cases where a child has been brought to the United Kingdom for the purposes of adoption and the arrangements for adoption were not made by an adoption agency, the current provisions of the 1976 Act, concerning the period before an adoption order may be made, will remain at 12 months. The effect of this amendment is therefore to reduce the period of residence from 12 to 6 months in cases dealt with by adoption agencies.