



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 1

#### ADOPTION

### CHAPTER 3

#### PLACEMENT FOR ADOPTION AND ADOPTION ORDERS

##### *Placement of children by adoption agency for adoption*

#### **18 Placement for adoption by agencies**

- (1) An adoption agency may—
  - (a) place a child for adoption with prospective adopters, or
  - (b) where it has placed a child with any persons (whether under this Part or not), leave the child with them as prospective adopters,but, except in the case of a child who is less than six weeks old, may only do so under section 19 or a placement order.
- (2) An adoption agency may only place a child for adoption with prospective adopters if the agency is satisfied that the child ought to be placed for adoption.
- (3) A child who is placed or authorised to be placed for adoption with prospective adopters by a local authority is looked after by the authority.
- (4) If an application for an adoption order has been made by any persons in respect of a child and has not been disposed of—
  - (a) an adoption agency which placed the child with those persons may leave the child with them until the application is disposed of, but
  - (b) apart from that, the child may not be placed for adoption with any prospective adopters.

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**Changes to legislation:** *Adoption and Children Act 2002, Section 18 is up to date with all changes known to be in force on or before 28 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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“Adoption order” includes a Scottish or Northern Irish adoption order.

- (5) References in this Act (apart from this section) to an adoption agency placing a child for adoption—
- (a) are to its placing a child for adoption with prospective adopters, and
  - (b) include, where it has placed a child with any persons (whether under this Act or not), leaving the child with them as prospective adopters;
- and references in this Act (apart from this section) to a child who is placed for adoption by an adoption agency are to be interpreted accordingly.
- (6) References in this Chapter to an adoption agency being, or not being, authorised to place a child for adoption are to the agency being or (as the case may be) not being authorised to do so under section 19 or a placement order.
- (7) This section is subject to sections 30 to 35 (removal of children placed by adoption agencies).

**Modifications etc. (not altering text)**

- C1** S. 18(4) applied (with modifications) (30.12.2005) by [The Adoptions with a Foreign Element Regulations 2005 \(S.I. 2005/392\)](#), regs. 1(1), **11(1)(b)**, 52, 55

**Commencement Information**

- II** S. 18 in force at 30.12.2005 by [S.I. 2005/2213](#), **art. 2(c)** (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2014 c. 6 s. 5](#)
- s. 141(7) inserted by [2010 c. 26 Sch. 3 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))