



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 2

THE ADOPTION SERVICE

The Adoption Service

2 Basic definitions

(1) The services maintained by local authorities under section 3(1) may be collectively referred to as “the Adoption Service”, and a local authority or registered adoption society may be referred to as an adoption agency.

[^{F1}(2) In this Act, “registered adoption society” means—

- (a) in relation to England, a voluntary organisation which is an adoption society registered under Part 2 of the Care Standards Act 2000 (c. 14), or
- (b) in relation to Wales, a voluntary organisation which is an adoption society registered as a provider in Wales of an adoption service under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2),

but in relation to the provision of any facility of the Adoption Service, references to a registered adoption society or to an adoption agency do not include an adoption society which is not registered in respect of that facility.]

(3) A registered adoption society is to be treated as registered in respect of any facility of the Adoption Service unless it is a condition of its registration that it does not provide that facility.

Changes to legislation: Adoption and Children Act 2002, Section 2 is up to date with all changes known to be in force on or before 04 April 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

- (4) No application for registration under Part 2 of the Care Standards Act 2000 [^{F2}or Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016] may be made in respect of an adoption society which is an unincorporated body.
- (5) In this Act—
- “the 1989 Act” means the Children Act 1989 (c. 41),
- [^{F3}“the 2014 Act” means the [Social Services and Well-being \(Wales\) Act 2014 \(anaw 4\)](#),]
- “adoption society” means a body whose functions consist of or include making arrangements for the adoption of children,
- “voluntary organisation” means a body other than a public or local authority the activities of which are not carried on for profit.
- (6) In this Act, “adoption support services” means—
- (a) counselling, advice and information, and
 - (b) any other services prescribed by regulations,
- in relation to adoption.
- (7) The power to make regulations under subsection (6)(b) is to be exercised so as to secure that local authorities provide financial support.
- (8) In this Chapter, references to adoption are to the adoption of persons, wherever they may be habitually resident, effected under the law of any country or territory, whether within or outside the British Islands.

Textual Amendments

- F1** S. 2(2) substituted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2019 \(S.I. 2019/772\)](#), regs. 1(2), **15(a)**
- F2** Words in s. 2(4) inserted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2019 \(S.I. 2019/772\)](#), regs. 1(2), **15(b)**
- F3** Words in s. 2(5) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **189**

Modifications etc. (not altering text)

- C1** S. 2(5) applied (with modifications) (6.4.2010) by [The Human Fertilisation and Embryology \(Parental Orders\) Regulations 2010 \(S.I. 2010/985\)](#), regs. 1(1), 2, **Sch. 1**

Commencement Information

- I1** S. 2(1)-(5) in force at 7.12.2004 by [S.I. 2004/3203](#), **art. 2(1)(a)**
- I2** S. 2(6)(7)(8) in force at 10.3.2003 for specified purposes for E. by [S.I. 2003/366](#), **art. 2(2)(b)**
- I3** S. 2(6)(7)(8) in force at 6.10.2003 for E. in so far as not already in force by [S.I. 2003/366](#), **art. 2(6)(b)**
- I4** S. 2(6) in force at 7.2.2004 for W. by [S.I. 2004/252](#), **art. 2(a)**
- I5** S. 2(7)(8) in force at 28.11.2003 for specified purposes for W. by [S.I. 2003/3079](#), **art. 2(1)(a)**
- I6** S. 2(7)(8) in force at 7.12.2004 in so far as not already in force by [S.I. 2004/3203](#), **art. 2(1)(a)**

Changes to legislation:

Adoption and Children Act 2002, Section 2 is up to date with all changes known to be in force on or before 04 April 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.

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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\(a\)](#))