



# 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*

#### **29 Further consequences of placement orders**

- (1) Where a placement order is made in respect of a child and either—
  - (a) the child is subject to a care order, or
  - (b) the court at the same time makes a care order in respect of the child, the care order does not have effect at any time when the placement order is in force.
- (2) On the making of a placement order in respect of a child, any order mentioned in section 8(1) of the 1989 Act, and any supervision order in respect of the child, ceases to have effect.
- (3) Where a placement order is in force—
  - (a) no prohibited steps order<sup>F1</sup>... or specific issue order, and
  - (b) no supervision order or child assessment order, may be made in respect of the child.
- (4) [<sup>F2</sup>Where a placement order is in force, a child arrangements order may be made with respect to the child's living arrangements only if—]
  - (a) an application for an adoption order has been made in respect of the child, and

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**Changes to legislation:** Adoption and Children Act 2002, Section 29 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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- (b) the [<sup>F3</sup>child arrangements] order is applied for by a parent or guardian who has obtained the court's leave under subsection (3) or (5) of section 47 or by any other person who has obtained the court's leave under this subsection.
- [<sup>F4</sup>(4A) For the purposes of subsection (4), a child arrangements order is one made with respect to a child's living arrangements if the arrangements regulated by the order consist of, or include, arrangements which relate to either or both of the following—
- (a) with whom the child is to live, and
  - (b) when the child is to live with any person.]
- (5) Where a placement order is in force, no special guardianship order may be made in respect of the child unless—
- (a) an application has been made for an adoption order, and
  - (b) the person applying for the special guardianship order has obtained the court's leave under this subsection or, if he is a guardian of the child, has obtained the court's leave under section 47(5).
- (6) Section 14A(7) of the 1989 Act applies in respect of an application for a special guardianship order for which leave has been given as mentioned in subsection (5)(b) with the omission of the words “the beginning of the period of three months ending with”.
- (7) Where a placement order is in force—
- (a) section 14C(1)(b) of the 1989 Act (special guardianship: parental responsibility) has effect subject to any determination under section 25(4) of this Act,
  - (b) section 14C(3) and (4) of the 1989 Act (special guardianship: removal of child from UK etc.) does not apply.

#### Textual Amendments

- F1** Words in s. 29(3)(a) omitted (22.4.2014) by virtue of [Children and Families Act 2014 \(c. 6\), s. 139\(6\), Sch. 2 para. 62\(2\)](#); [S.I. 2014/889, art. 4\(f\)](#) (with transitional provisions in [S.I. 2014/1042, arts. 3, 4, 6-10](#))
- F2** Words in s. 29(4) substituted (22.4.2014) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\), Sch. 2 para. 62\(3\)\(a\)](#); [S.I. 2014/889, art. 4\(f\)](#) (with transitional provisions in [S.I. 2014/1042, arts. 3, 4, 6-10](#))
- F3** Words in s. 29(4)(b) substituted (22.4.2014) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\), Sch. 2 para. 62\(3\)\(b\)](#); [S.I. 2014/889, art. 4\(f\)](#) (with transitional provisions in [S.I. 2014/1042, arts. 3, 4, 6-10](#))
- F4** S. 29(4A) inserted (22.4.2014) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\), Sch. 2 para. 62\(4\)](#); [S.I. 2014/889, art. 4\(f\)](#) (with transitional provisions in [S.I. 2014/1042, arts. 3, 4, 6-10](#))

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

- C1** S. 29(4)(a) applied (with modifications) (30.12.2005) by [The Adoptions with a Foreign Element Regulations 2005 \(S.I. 2005/392\), regs. 1\(1\), 11\(1\)\(g\), 52, 55](#)
- C2** S. 29(5)(a) applied (with modifications) (30.12.2005) by [The Adoptions with a Foreign Element Regulations 2005 \(S.I. 2005/392\), regs. 1\(1\), 11\(1\)\(g\), 52, 55](#)

#### Commencement Information

- I1** S. 29 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](#))

**Changes to legislation:**

Adoption and Children Act 2002, Section 29 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.

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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))