



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 7

MISCELLANEOUS

Restrictions

96 Excepted payments

- (1) A payment is an excepted payment if it is made by virtue of, or in accordance with provision made by or under, this Act, the Adoption (Scotland) Act 1978 (c. 28)^[F1], the [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#) or the Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I. 22)).
- (2) A payment is an excepted payment if it is made to a registered adoption society by—
 - (a) a parent or guardian of a child, or
 - (b) a person who adopts or proposes to adopt a child,in respect of expenses reasonably incurred by the society in connection with the adoption or proposed adoption of the child.
- (3) A payment is an excepted payment if it is made in respect of any legal or medical expenses incurred or to be incurred by any person in connection with an application to a court which he has made or proposes to make for an adoption order, a placement order, or an order under section 26^[F2], 51A] or 84.
- (4) A payment made as mentioned in section 95(1)(c) is an excepted payment if—
 - (a) the condition in section 85(2) is met, and

Changes to legislation: Adoption and Children Act 2002, Section 96 is up to date with all changes known to be in force on or before 10 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

- (b) the payment is made in respect of the travel and accommodation expenses reasonably incurred in removing the child from the United Kingdom for the purpose of adoption.

Textual Amendments

- F1** Words in s. 96(1) inserted (15.7.2011) by [The Adoption and Children \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/1740\)](#), art. 1(2), **Sch. 1 para. 6(4)**
- F2** Word in s. 96(3) inserted (22.4.2014) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 9(4)**, 139(6); [S.I. 2014/889](#), art. 4(a) (with transitional provisions in [S.I. 2014/1042](#), arts. 3, 4, 6-10)

Commencement Information

- I1** S. 96 in force at 30.12.2005 by [S.I. 2005/2213](#), **art. 2(g)** (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\(a\)](#))