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STATUTORY INSTRUMENTS

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**2005 No. 392**

**The Adoptions with a Foreign Element Regulations 2005**

**PART 3**

**ADOPTIONS UNDER THE CONVENTION**

**CHAPTER 2**

**REQUIREMENTS, PROCEDURE, RECOGNITION AND EFFECT OF ADOPTIONS IN ENGLAND AND WALES WHERE THE UNITED KINGDOM IS THE STATE OF ORIGIN**

**Counselling and information for the child**

**36.**—(1) Where an adoption agency is considering whether a child is suitable for an adoption in accordance with the Convention, it must provide a counselling service for and information to that child in accordance with regulation 13 of the Agencies Regulations or corresponding Welsh provision and it must—

- (a) explain to the child in an appropriate manner the procedure in relation to, and the legal implications of, adoption under the Convention for that child by a prospective adopter habitually resident in the receiving State; and
- (b) provide him with written information about the matters referred to in sub-paragraph (a).

(2) Paragraph (1) does not apply if the adoption agency is satisfied that the requirements set out in that paragraph have been carried out in respect of the prospective adopter by another agency.