

## SCHEDULE

### Amendments to Other Regulations

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

2.—(1) The Adoptions with a Foreign Element Regulations 2005 are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in the definition of “prospective adopter’s case record” for the words “regulation 22(1)” substitute “regulation 23(1)”; and
- (b) in the definition of “prospective adopter’s report” for the words “regulation 25(5)” substitute “regulation 30(2)”.

(3) In regulation 4(2)(b)(iii) (conditions applicable in respect of a child brought into the United Kingdom) for the words “meet with the adoption agency to discuss the” substitute “discuss with the adoption agency the”.

(4) In regulation 13 (requirements applicable in respect of eligibility and suitability)—

(a) for paragraphs (1)(a) and (b) substitute—

- (a) “(1) in the case of an adoption agency in Wales, apply in writing to the adoption agency for a determination of eligibility and an assessment of their suitability to adopt, and give the agency any information it may require for the purposes of the assessment, or
- (b) in the case of an adoption agency in England, notify the agency that they want to adopt a child, and give the agency any information it may require for the purposes of the pre-assessment process set out in Part 4 of the Agencies Regulations.”.

(b) for the beginning of paragraph 2(1) substitute—

“2.—(1) An adoption agency in Wales may not consider an application under paragraph (1)(a), and an adoption agency in England may not proceed with the pre-assessment process referred to in paragraph (1)(b), unless at the date of that application or notification (as the case may be)—”.

(5) In regulation 14(1) (counselling and information) for the words “regulation 21(1)(a)” substitute “regulation 24(1)(a)”.

(6) In regulation 15 (procedure in respect of carrying out an assessment)—

(a) for paragraph (1) and (2) substitute—

“(1) Where the adoption agency is satisfied that that the requirements in regulation 14 have been met the agency must consider the suitability of the prospective adopter in accordance with Part 4 of the Agencies Regulations.”.

(b) in paragraph (5) for the words “regulations 25(5) and 26(2)” substitute “regulations 30(2) and 30A(2)”.

(7) In regulation 16 (adoption agency decision and notification) for the words “regulation 27” substitute “regulation 30B”.

(8) In regulation 17 (review and termination of approval) for the words “regulation 29” substitute “regulation 30D”.

(9) In regulation 18 (procedure following decision as to suitability to adopt)—

(a) in paragraph (1)(b) for the words “regulation 23” substitute “regulation 25”;

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(b) in paragraph (1)(c) for the words “regulation 25(9)” substitute “regulations 30(6) or (7)”;  
and

(c) in paragraph (2)(a) for the words “regulation 25” substitute “regulation 30”.

(10) In regulation 19(2)(b) (procedure following receipt of the Article 16 information from the CA of the state of origin) for the words “meet with him to discuss” substitute “discuss with the prospective adopter”.

(11) In regulation 20(2) (procedure where proposed adoption is not to proceed) for the words “regulation 29” substitute “regulation 30D”.