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WELSH STATUTORY INSTRUMENTS

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**2001 No. 1272**

**The Adoption of Children from  
Overseas (Wales) Regulations 2001**

**Duties of an adoption agency and adoption panel functions in respect of a prospective adopter**

**3.—**(1) This regulation applies to —

- (a) a local authority<sup>(1)</sup> to which a prospective adopter has applied for assessment in accordance with regulation 3(2)(a) of the 2001 Regulations; and
- (b) an approved adoption society<sup>(2)</sup> which has agreed to assess a prospective adopter who has applied to it in accordance with that regulation.

(2) The adoption agency<sup>(3)</sup> shall assess a prospective adopter in accordance with regulations 8 (adoption agency's duties in respect of a prospective adopter)<sup>(4)</sup> and 8A (criminal convictions of a prospective adopter<sup>(5)</sup>) of the 1983 Regulations.

(3) An adoption panel to which the case of a prospective adopter is referred shall consider the case and make a recommendation to the referring adoption agency as to whether the prospective adopter is suitable to be an adoptive parent, in accordance with regulation 10 (adoption panel functions) <sup>(6)</sup> of the 1983 Regulations.

(4) The adoption agency shall —

- (a) make a decision as to the suitability of the prospective adopter to be an adoptive parent and notify the prospective adopter of the decision, in accordance with regulation 11A (adoption agency decisions and notifications - prospective adopters)<sup>(7)</sup> of the 1983 Regulations; and
- (b) where the agency has decided to approve the prospective adopter as suitable to be an adoptive parent, notify the National Assembly for Wales in writing of that decision and provide to it —
  - (i) all information considered by the adoption panel before making a recommendation to the agency as to whether the prospective adopter is suitable to be an adoptive parent; and
  - (ii) such other information relating to the prospective adopter's case as it may require.

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(1) See section 72(1) of the 1976 Act for the definition of “local authority” (“awdurdod lleol”).  
(2) See section 72(1) of the 1976 Act for the definition of “approved adoption society” (“cymdeithas fabwysiadu a gymeradwywyd”).  
(3) By virtue of section 1(4) of the 1976 Act, “adoption agency” (“asiantaeth fabwysiadu”) means a local authority or an approved adoption society.  
(4) Regulation 8 was amended by [S.I. 1997/2308](#).  
(5) Regulation 8A was inserted by [S.I. 1997/2308](#).  
(6) Regulation 10 was amended by [S.I. 1997/649](#).  
(7) Regulation 11A was inserted by [S.I. 1997/649](#) and amended by [S.I. 1997/2308](#).