



Adoption Act 1976

1976 CHAPTER 36

PART II

ADOPTION ORDERS

Freeing for adoption

[^{F1}20] **Revocation of s. 18 order.**

- (1) The former parent, at any time more than 12 months after the making of the order under section 18 when—
- no adoption order has been made in respect of the child, and
 - the child does not have his home with a person with whom he has been placed for adoption,
- may apply to the court which made the order for a further order revoking it on the ground that he wishes to resume [^{F2}parental responsibility].
- (2) While the application is pending the adoption agency having [^{F2}parental responsibility] shall not place the child for adoption without the leave of the court.
- [^{F3}(3) The revocation of an order under section 18 (“a section 18 order”) operates—
- to extinguish the parental responsibility given to the adoption agency under the section 18 order;
 - to give parental responsibility for the child to—
 - the child’s mother; and
 - where the child’s father and mother were married to each other at the time of his birth, the father; and
 - to revive—
 - any parental responsibility agreement,
 - any order under section 4(1) of the Children Act 1989,
[any care order, within the meaning of that Act], and
- ^{F4}(ia)

Changes to legislation: Adoption Act 1976, Section 20 is up to date with all changes known to be in force on or before 13 August 2023. 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

- (iii) any appointment of a guardian in respect of the child (whether made by a court or otherwise),
extinguished by the making of the section 18 order.
- (3A) Subject to subsection (3)(c), the revocation does not—
- (a) operate to revive—
 - (i) any order under the Children Act 1989, or
 - (ii) any duty referred to in section 12(3)(b),
 extinguished by the making of the section 18 order; or
 - (b) affect any person’s parental responsibility so far as it relates to the period between the making of the section 18 order and the date of revocation of that order.]
- (4) Subject to subsection (5), if the application is dismissed on the ground that to allow it would contravene the principle embodied in section 6—
- (a) the former parent who made the application shall not be entitled to make any further application under subsection (1) in respect of the child, and
 - (b) the adoption agency is released from the duty of complying further with section 19(3) as respects that parent.
- (5) Subsection (4)(a) shall not apply where the court which dismissed the application gives leave to the former parent to make a further application under subsection (1), but such leave shall not be given unless it appears to the court that because of a change in circumstances or for any other reason it is proper to allow the application to be made.]

Textual Amendments

- F1** Ss. 1-37 repealed (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), s. 148(1), [Sch. 5](#) (with [Sch. 4 paras. 2, 6-8](#)); S.I. 2005/2897, art. 2(b) (ss. 19-21 continued (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), s. 148(1), [Sch. 4 para. 7\(1\)\(a\)](#) (with [Sch. 4 paras. 6-8](#)); S.I. 2005/2897, art. 2(a) (with arts. 3-16))
- F2** Words in s. 20(1)(2) substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, [Sch. 10 para.8\(1\)](#) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, [art. 3\(2\)](#)
- F3** S. 20(3)(3A) substituted (14.10.1991) for s. 20(3) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 88, 108, [Sch. 10 para.8\(2\)](#) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, [art. 3\(2\)](#)
- F4** S. 20(3)(c)(iia) inserted (30.12.2005) by virtue of [Adoption and Children Act 2002 \(c. 38\)](#), s. 148(1), [Sch. 4 para. 7\(2\)](#) (with [Sch. 4 paras. 6-8](#)); S.I. 2005/2897, art. 2(a) (with arts. 3-16)

Changes to legislation:

Adoption Act 1976, Section 20 is up to date with all changes known to be in force on or before 13 August 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket Amendment words substituted by [2005 c. 4 Sch. 11 para. 1\(2\)](#) (Amendment not applied to legislation.gov.uk. The relevant references were repealed before the amendment came into force.)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(6A)(6B) inserted by [1999 c. 18 s. 10](#) (This amendment not applied to legislation.gov.uk. S. 10 repealed (30.4.2003 for W., 1.6.2003 for E.) without ever being in force by 2000 c. 14, ss. 117(2), 122, Sch. 6; S.I. 2003/501, art. 2(3)(b); S.I. 2003/365, art. 3(6)(a))
- s. 13(4) inserted by [1999 c. 18 s. 11](#) (This amendment not applied to legislation.gov.uk. S. 11 ceases to have effect (E.W.) (30.12.2005) by virtue of 2002 c. 38, ss. 139, 148(1), Sch. 3 para. 95 (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o))
- s. 52(1)(c) power to extend conferred by [2002 c. 38 Sch. 4 para. 16\(1\)\(a\)](#)
- s. 52(1A) inserted by [2002 c. 38 Sch. 4 para. 15\(a\)](#)
- s. 56(4)-(6) inserted by [2002 c. 38 Sch. 4 para. 11\(b\)](#)