STATUTORY INSTRUMENTS

2017 No. 978

CHILDREN AND YOUNG PERSONS, ENGLAND

The Adoption and Children Act Register (Search and Inspection) Regulations 2017

Made - - - -	*11th October 2017*
Laid before Parliament	*12th October 2017*
Coming into force - -	*2nd November 2017*

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 128A(1) to (4) and 140(7) and (8) of the Adoption and Children Act 2002(**1**).

Citation and commencement

1. These Regulations may be cited as the Adoption and Children Act Register (Search and Inspection) Regulations 2017 and come into force on 2nd November 2017.

Interpretation

2. In these Regulations—

"the Act" means the Adoption and Children Act 2002;

"C" means a child whose information is held on the register(**2**);

"P" means a prospective adopter that an adoption agency(**3**) is satisfied is suitable to adopt a child; and

"Part 1 of the register" and "Part 2 of the register" have the meaning given in regulation 3 of the Adoption and Children Act Register Regulations 2014(**4**).

(**1**) 2002 c. 38 . Section 128A was inserted by section 7(4) of the Children and Families Act 2014 (c. 6) ("the 2014 Act"). Section 140(7) was amended by section 7(6) of the 2014 Act. See section 144(1) for the definition of "regulations" and section 131(1)(b) for the definition of "prescribed".
(**2**) See section 131(1)(c) of the Adoption and Children Act 2002 ("the 2002 Act") for the definition of "the register".
(**3**) See section 131(1)(za) of the 2002 Act for the definition of "adoption agency".
(**4**) S.I. 2014/1492 .

Arrangements with a registration organisation

3. Where the Secretary of State has made arrangements with an organisation under section 126(1) of the Act(**5**) which require the registration organisation to make the register available for search and inspection by P, references in regulations 4 and 5 to "the Secretary of State" must be read as references to "the registration organisation".

Search and inspection of the register by prospective adopters

4.—(1) This regulation applies where—

(a) P has provided written confirmation to the Secretary of State that P undertakes to comply with the requirements set out in regulation 5; and

(b) the Secretary of State is satisfied that P—

(i) has not on any occasion failed to comply with any of the requirements set out in regulation 5; and

(ii) had not on any occasion failed to comply with any of the requirements that were set out in regulation 5 of the Adoption and Children Act Register (Search and Inspection) (Pilot) Regulations 2014(**6**).

(2) The Secretary of State must make available the information specified in paragraph (5) held in Part 1 of the register for search and inspection by P for the purpose of assisting P to find a child for whom P would be an appropriate adopter.

(3) The Secretary of State must make available the information specified in paragraph (5) held in Part 2 of the register for search and inspection by P for the purpose of assisting P to find a child for whom P would be an appropriate adopter where—

(a) P has obtained written confirmation from the appropriate adoption agency that P is willing to have placed with them a child for whom a local authority in England is considering adoption; and

(b) P has provided that written confirmation to the Secretary of State.

(4) In paragraph (3)(a)—

(a) "appropriate adoption agency" means the adoption agency that approved P as suitable to adopt a child under regulation 30B of the Adoption Agencies Regulations 2005(**7**); and

(b) "placed" means placed under section 22C of the Children Act 1989(**8**) with a local authority foster parent who is also an approved prospective adopter following consideration under section 22C(9B)(c) of that Act.

(5) The specified information is—

(a) C's date of birth;

(b) C's gender;

(c) C's nationality;

(**5**) Section 126(1) was amended by paragraphs 1 and 3 of Schedule 1 to the 2014 Act.

(**6**) S.I. 2014/1957, which is revoked by these Regulations.

(**7**) S.I. 2005/389. Regulation 30B was inserted by regulation 5 of the Adoption Agencies (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/985).

(**8**) 1989 c. 41. Section 22C was inserted by section 8(1) of the Children and Young Persons Act 2008 (c. 23) and amended by section 2 of, and paragraph 29 of Schedule 2 to, the 2014 Act and S.I. 2016/413.