*Draft Regulations laid before Parliament under section 128A(6) of the Adoption and Children Act 2002, for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

# 2014 No.

# CHILDREN AND YOUNG PERSONS, ENGLAND

## The Adoption and Children Act Register (Search and Inspection) (Pilot) Regulations 2014

*Made - - - - 2014*

*Coming into force in accordance with regulation 1*

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**) ("the Act").

In accordance with section 128A(6)(**2**) of the Act, a draft of this instrument was laid and approved by a resolution of each House of Parliament.

### Citation and commencement

**1.** These Regulations may be cited as the Adoption and Children Act Register (Search and Inspection) (Pilot) Regulations 2014 and come into force on the second day after the day on which they are made.

### Interpretation

**2.** In these Regulations—

"C" means a child whose information is held on the register;

"P" means a prospective adopter that an adoption agency listed in the Schedule 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(**3**).

(**1**) 2002 c.38. Sections 128A(1) to (4) were inserted by section 7(4) of the Children and Families Act 2014 (c.6). See section 144(1) for the definition of "regulations" and section 131(1)(b) for the definition of "prescribed".
(**2**) Section 128A(6) was inserted by section 7(4) of the Children and Families Act 2014 (c.6).
(**3**) 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 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 they undertake to comply with the requirements set out in regulation 5; and

(b) the Secretary of State is satisfied that P has not on any occasion failed to comply with any of the requirements set out in regulation 5.

(2) The Secretary of State must make available the information specified in paragraph (5) held in Part 1 of the register(**4**) 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(4) of the Adoption Agencies Regulations 2005(**5**); and

(b) "placed" means placed under section 22C of the Children Act 1989(**6**) 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;

(d) C's racial origin;

(e) the local authority area in which C lives;

(f) C's first language and details of any other languages spoken;

(g) C's religious persuasion if any (including details of any baptism, confirmation or equivalent ceremonies) and whether C practises their religion;

(h) whether the adoption agency intends to place C for adoption with C's siblings and if so how many and the date of birth of each sibling;

(**4**) See section 125 of the Adoption and Children Act 2002 for the definition of "the register".
(**5**) S.I. 2005/389. Section 30B was inserted by regulation 5 of the Adoption Agencies (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/985).
(**6**) 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 the Children and Families Act 2014 (c.6).