

Statutory Document No. 2024/0151



Adoption Act 2021

RESTRICTION ON THE PREPARATION OF ADOPTION REPORTS REGULATIONS 2024¹

Approved by Tynwald: 19 June 2024
Coming into operation in accordance with regulation 2

The Department of Health and Social Care makes the following Regulations under section 71 of the Adoption Act 2021.

1 Title

These Regulations are the Restriction on the Preparation of Adoption Reports Regulations 2024.

2 Commencement

If approved by Tynwald¹, these Regulations come into operation immediately upon the coming into operation of section 71 of the Adoption Act 2021².

3 Interpretation

In these Regulations —

“**the 2024 Regulations**” means the Adoption Agency Regulations 2024³;

“**the Act**” means the Adoption Act 2021;

“**registered social worker**” is a person within the meaning of section 141(2) of the Regulation of Care Act 2013.

¹ By virtue of section 123(2)(c) of the Adoption Act 2021, these Regulations are subject to the “approval” Tynwald procedure, being the procedure described in section 30 of the Legislation Act 2015.

² Section 71 of the Interpretation Act 2015 allows a power in an Act to make a public document to be exercised notwithstanding that that enabling power has not yet commenced. By virtue of section 71(4) of the Interpretation Act 2015, any public document so made cannot commence before the enabling power is itself commenced.

³ SD 2024/0149.

4 A person within a prescribed description

- (1) A person is within a prescribed description for the purposes of section 71(1) of the Act if the person is —
 - (a) a registered social worker who is employed by Manx Care or a registered adoption society and satisfies at least one of the conditions set out in paragraph (2)(a) or (b);
 - (b) a person who —
 - (i) is undertaking educational training to become a registered social worker;
 - (ii) is employed by, or placed with, Manx Care or a registered adoption society as part of that educational training; and
 - (iii) satisfies the condition set out in paragraph (2)(b); or
 - (c) acting on behalf of Manx Care or a registered adoption society and is a registered social worker who satisfies the conditions in paragraph (2)(a) or (b).
- (2) The conditions referred to in paragraph (1) are that the person —
 - (a) has post-qualifying experience in child care social work, including direct experience of adoption work;
 - (b) is supervised by a registered social worker who —
 - (i) is employed by Manx Care or the registered adoption society in question;
 - (ii) has post-qualifying experience in child care social work, including direct experience of adoption work.

5 The prescribed circumstances

The circumstances prescribed for the purposes of section 71(1) of the Act are —

- (a) preparing a report about whether a child should be placed for adoption, in accordance with regulation 17(1) of the 2024 Regulations;
- (b) preparing a report about the suitability of a prospective adopter to adopt a child, in accordance with regulation 31(2) of the 2024 Regulations;
- (c) preparing a report about whether a child should be placed for adoption with a particular prospective adopter, in accordance with regulation 37(2)(d) of the 2024 Regulations;
- (d) preparing a report of a visit in accordance with regulation 41(4)(b) of the 2024 Regulations; and
- (e) preparing a report in accordance with section 26 (reports where child placed by agency) or section 27(5) (reports in non-agency cases) of the Act.

MADE 10 MAY 2024

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.