



Statutory Document No. 216/03

THE ADOPTION ACT 1984

THE ADOPTION RULES 2003

Approved by Tynwald

20th May 2003

Coming into operation

1st October 2003

In exercise of the powers conferred on the Deemsters by section 52 of the Adoption Act 1984¹, and of all other enabling powers, the following Rules are hereby made:—

PART 1

INTRODUCTORY

1. Citation, commencement and interpretation

(1) These Rules may be cited as the Adoption Rules 2003 and, subject to section 53 of the Act, shall come into operation on the 1st October 2003.

(2) In these Rules —

"the Act" means the Adoption Act 1984;

"the 1985 Regulations" means the Adoption Societies Regulations 1985²;

"accredited agency" has the same meaning as in the Convention Regulations;

"the child" means the person whom the applicant for an adoption order, order authorising a proposed foreign adoption or Convention adoption order proposes to adopt;

"the Convention" means the Convention on Protection of Children and Co-operation in respect of intercountry Adoption, concluded at the Hague on 29th May 1993³;

"Convention proceedings" means proceedings in the Court for a Convention adoption order or in connection with a Convention adoption order or a Convention adoption;

"the Convention Regulations" means the Adoption (Hague Convention) Regulations 2003⁴;

¹ 1984 c.14

² GC 284/85

³ Cm 2691

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"country of origin" means a country or territory which is, or is part of, the State of origin (within the meaning of the Convention);

"the Court" means the High Court;

"the Department" means the Department of Health and Social Security;

"interim order" means an order under section 10 of the Act;

"order authorising a proposed foreign adoption" means an order under section 43 of the Act;

"receiving country" means a country or territory which is, or is part of, the receiving State (within the meaning of the Convention);

"regular armed forces of the Crown" means the Royal Navy, the regular forces as defined by section 225 of the Army Act 1955 (an Act of Parliament)⁵, the regular air force as defined by section 223 of the Air Force Act 1955 (an Act of Parliament)⁶, the Queen Alexandra's Royal Naval Nursing Service and the Women's Royal Naval Service;

"Rules of the High Court" means the Rules of the High Court of Justice 1952.

(3) In these Rules a form referred to by number means the form so numbered in Schedule 1.

2. Application of Rules and other rules

(1) These Rules apply to proceedings in the Court under the Act commenced on or after the date on which these Rules come into operation.

(2) Subject to the provisions of these Rules and any other enactment, the Rules of the High Court shall apply with the necessary modifications to proceedings to which these Rules apply.

(3) For the purpose of paragraph (2) any provision of these Rules authorising or requiring anything to be done shall be treated as if it were a provision of the Rules of the High Court.

3. Revocation

Except in relation to proceedings commenced before the date on which these Rules come into operation, the following Rules are revoked —

- (a) the Adoption Rules 1985⁷;
- (b) the Adoption (Amendment) Rules 1992⁸;
- (c) the Adoption (Amendment) Rules 2001⁹.

⁴ SD 216/03

⁵ 1955 c.18

⁶ 1995 c.19

⁷ GC 195/85

⁸ GC 7/92

⁹ SD 162/01