STATUTORY INSTRUMENTS

1973 No. 1203

CHILDREN AND YOUNG PERSONS

The Adoption Agencies Regulations 1973

Made - - -	*9th July* 1973
Coming into Operation	*1st August* 1973

The Secretary of State for Social Services (as respects England, except Monmouthshire) and the Secretary of State for Wales (as respects Wales and Monmouthshire) in exercise of the powers conferred upon them by section 32 of the Adoption Act 1958(**a**), hereby make the following Regulations:—

1. These Regulations may be cited as the Adoption Agencies Regulations 1973 and shall come into operation on 1st August 1973.

2. Any reference in these Regulations to the principal Regulations is a reference to the Adoption Agencies Regulations 1959(**b**) as amended (**c**).

3. For paragraph (3) of Regulation 6 of the principal Regulations (which, as set out in Regulation 1 of the Adoption Agencies Regulations 1961(**c**), provides for certain tests and examinations to be carried out in respect of infants placed for adoption by or on behalf of an adoption society) there shall be substituted the following paragraphs:—

"(3) Where an infant has been placed by or on behalf of a registered adoption society in the care and possession of a person proposing to adopt him, then—

(*a*) if, at the time of the said placing, the infant has not attained the age of six weeks, the society shall make arrangements for a serological test of his blood or his mother's blood for syphilis to be carried out by, and a report thereon obtained from, a fully registered medical practitioner as soon as practicable after the infant has attained that age;

(*b*) if, at the time of the said placing, the infant has not attained the age of six complete days, the society shall also make arrangements for a test of his blood for the purpose of estimating the level of phenylalanine therein to be carried out by, and a report thereon obtained from, a fully registered medical practitioner as soon as practicable after the infant has attained that age:

Provided that if the result of a test of the blood of the infant's mother carried out in accordance with sub-paragraph (*a*) of this paragraph is positive the society shall also make arrangements for a test of the infant's blood for syphilis to be carried out and a report obtained as soon as practicable in accordance with the provisions of that sub-paragraph.

(4) For the purpose of computing the age of an infant for the purposes of paragraph (3)(*b*) of this Regulation the day of the infant's birth shall be excluded.

(**a**) 1958 c. 5 (7 & 8 Eliz. 2). (**b**) S.I. 1959/639 (1959 I, p. 594).
(**c**) The relevant amending instrument is S.I. 1961/900 (1961 I, p. 1721).

(5) The society shall furnish a copy of any report obtained under paragraph (3) of this Regulation to the person proposing to adopt the infant to which it related.".

4. For paragraph E of the form of medical report set out in Schedule 5 to the principal Regulations (which sets out the form of the medical report which is required to be obtained by a registered adoption society or local authority on the health of an infant who is placed for adoption by or on behalf of the society or local authority), there shall be substituted the following paragraph:—

"E (i) (*To be completed in the case of a child at least six weeks old at the time of the test—either test* (*a*) *or tests* (*b*) (*i*) *and* (*ii*) *may be carried out except where test* (*b*) (*i*) *or* (*ii*) *is positive, when test* (*a*) *must also be carried out*)

(*a*) Result of a suitable serological test of the child's blood for syphilis (please specify test) .....

(*b*) Result of suitable serological tests of the mother's blood for syphilis

(i) reagin (please specify test) .....

(ii) verification (please specify test) .....".

(ii) (*To be completed in the case of a child over six complete days* (*excluding the day of his birth*) *and under two years old at the time of the test*)

Result of test of the child's blood for the purpose of estimating the level of phenylalanine therein .....".

Keith Joseph,
Secretary of State for Social Services.

5th July 1973.

Peter Thomas,
Secretary of State for Wales.

9th July 1973.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the provisions of Regulation 6 of and Schedule 5 to the Adoption Agencies Regulations 1959 relating to the tests which a registered adoption society or local authority must arrange to be made in respect of a child who is placed for adoption.

First, the provisions for carrying out a test for syphilis are modified. The medical report which must be obtained before a child at least six weeks old is placed for adoption (set out in Schedule 5 to the Regulations of 1959) may contain the result of tests for syphilis made of the blood of the child's mother instead of the child unless the result is positive, when a test must also be made of the child's blood. Similar amendments are made to Regulation 6 of the Regulations of 1959 to enable a registered adoption society or local authority which places for adoption a child who has not attained the age of six weeks to arrange for a test of the mother's blood and a medical report thereon to be obtained as an alternative to a test of the child's blood as soon as practicable after the child has attained that age, unless the result of the test is positive.

Secondly, the requirement that an examination of the child's urine for phenylpyruvic acid should be made in the case of a child over six weeks and under two years old is omitted. Instead the medical report required by Schedule 5 to the Regulations of 1959 must contain, in the case of a child over six complete days and under two years old, the result of a test of the child's blood to ascertain the level of phenylalanine therein. If a child is placed for adoption before it has attained the age of six complete days the society or local authority must arrange for the blood test for phenylalanine to be made as soon as practicable after he has attained that age. For the purpose of calculating the period of six days the day of the child's birth is excluded.

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