



# **Adoption and Children Act (Northern Ireland) 2022**

## CHAPTER 18

### ADOPTION AND CHILDREN ACT (NORTHERN IRELAND) 2022

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#### CHAPTER 1

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#### *The Adoption Service*

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7. Arrangements on cancellation of registration
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#### *Registration of adoption orders*

1. (1) Every adoption order must contain a direction to the...

#### *Registration of adoptions in Great Britain, the Isle of Man and the Channel Islands*

2. (1) Sub-paragraphs (2) and (3) apply where the Registrar General...

#### *Registration of other adoptions*

3. (1) If the Registrar General is satisfied, on an application...

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*Amendment of orders and rectification of Registers and other records*

4. (1) The court by which an adoption order has been...

*Marking of entries on re-registration of birth on legitimation*

5. (1) Without prejudice to paragraph 2(4) and paragraph 4(5), where,...

*Cancellations in registers on legitimation*

6. (1) This paragraph applies where an adoption order is revoked...

SCHEDULE 2 — Disclosure of birth records by Registrar General

1. (1) On an application made in the prescribed manner by...
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3. Where an adopted person who is in Northern Ireland—

SCHEDULE 3 — Minor and consequential amendments

PART 1 — Amendments of primary legislation

*The Legitimacy Act (Northern Ireland) 1928*

1. In section 8A (legitimation of adopted child)—

*The Births and Deaths Registration (Northern Ireland) Order 1976*

2. In Article 37 (registration or alteration of child's name), in...

*The Child Abduction and Custody Act 1985*

3. In Schedule 3 to the Child Abduction and Custody Act...

*The Child Abduction (Northern Ireland) Order 1985*

4. (1) Article 3 (offence of abduction of child by parent,...
5. (1) In the Schedule (modifications of Article 3 for children...

*The Mental Health (Northern Ireland) Order 1986*

6. In Article 34 (minors under guardianship, etc.), in paragraph (3)...

*The Family Law Act 1986*

7. In section 1 (orders to which Part 1 applies), in...
8. In section 19 (jurisdiction: general), after subsection (1) insert



*The Adoption (Northern Ireland) Order 1987*

9. In Article 39 (meaning of “adoption” in Part 5), in...

*The Matrimonial and Family Proceedings (Northern Ireland) Order 1989*

10. In Article 33 (declarations as to adoptions effected overseas)—

*The Armed Forces Act 1991*

11. In section 17(4) (persons to be given notice of application...
12. In section 18(7) (persons who may apply to vary or...
13. In section 20(8) (persons who are to be allowed reasonable...
14. In section 22A(7) (persons who are to be allowed reasonable...

*The Health and Personal Social Services (Northern Ireland) Order 1991*

15. In Article 10A (definition of “social care and children functions”),...

*The Child Support (Northern Ireland) Order 1991*

16. In Article 4 (meaning of certain other terms used in...
17. In Article 27 (disputes about parentage), in paragraph (3) after...

*The Social Security Contributions and Benefits (Northern Ireland) Act 1992*

18. (1) Section 167ZBA (entitlement: prospective adopters with whom looked after...
19. In section 167ZL (statutory adoption pay: entitlement), in subsection (4A)...
20. (1) Section 167ZLA (entitlement: prospective adopters with whom looked after...
21. (1) Section 167ZY (entitlement: prospective adopters with whom looked after...

*The Children (Northern Ireland) Order 1995*

22. In Article 2 (interpretation), in paragraph (2)—
23. In Article 7 (acquisition of parental responsibility), in paragraph (1B)—...
24. In Article 8 (residence, contact and other orders with respect...
25. In Article 9 (restrictions on making Article 8 orders), in...
26. In Article 10 (power of court to make Article 8...
27. In Article 12 (residence orders and parental responsibility), in paragraph...
28. In Article 16 (family assistance orders), in paragraph (2)(a) for...

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29. In Article 22 (powers of person with parental responsibility), in...
30. In Article 28 (regulations under Article 27), in paragraph (1)...
31. In Article 33 (arrangements to assist children to live abroad) —...
32. In Article 34E (personal advisers)— (a) in paragraph (1)—
33. In Article 34F (pathway plans)— (a) in paragraph (1)—
34. In Article 35 (persons qualifying for advice and assistance)—
35. In Article 35A (advice and assistance for qualifying persons)—
36. In Article 35B (assistance with employment, education and training)—
37. In Article 52 (effect of care order)—
38. In Article 53 (parental contact etc with children in care)—
39. In Article 153 (child care training), in paragraph (3) for...
40. In Article 155 (parents not being married to, or civil...
41. In Article 178 (power of constable to assist in exercise...
42. In Article 179 (effect and duration of orders, etc.), after...
43. In Schedule 1 (financial provision for children)—
44. In Schedule 6 (property rights etc.), in paragraph 2 (dispositions...

*The Children (Scotland) Act 1995*

45. In section 26 (manner of provision of accommodation to child...

*The Employment Rights (Northern Ireland) Order 1996*

46. In Article 85ZJ (right to paid time off to attend...
47. (1) Article 85ZS (entitlement: prospective adopters with whom looked after...
48. (1) Article 107AB (ordinary adoption leave: prospective adopters with whom...
49. (1) Article 107H (entitlement to shared parental leave: prospective adopters...
50. (1) Article 112BA (entitlement to paternity leave: prospective adopters with...

*The Police Act 1997*

51. In section 113A (criminal record certificates), in subsection (6D)(aa) after...

*The Family Homes and Domestic Violence (Northern Ireland) Order 1998*

52. In Article 2 (interpretation)— (a) in paragraph (2) for the...
53. In Article 3 (meaning of “cohabitees” etc.)—

*The Justice (Northern Ireland) Act 2002*

- 54. In Schedule 1 (listed judicial offices) omit each of the...
- 55. In Schedule 6 (office-holders required to take judicial oath) omit...

*The Adoption and Children Act 2002*

- 56. In section 63 (counselling), in subsection (4)(b) for the words...
- 57. In section 65 (sections 56 to 65: interpretation), in subsection...
- 58. In section 123 (restriction on advertisements etc.), in subsection (3)(a)...
- 59. In section 144 (general interpretation etc.), in subsection (1)—

*The Marriage (Northern Ireland) Order 2003*

- 60. (1) Article 22 (relevant consents required) is amended as follows....

*The Health and Personal Social Services (Quality, Improvement and Regulation)(Northern Ireland) Order 2003*

- 61. In Article 2 (interpretation), in paragraph (2)—
- 62. In Article 15 (cancellation of registration), in paragraph (2) for...
- 63. In Article 36 (provision of information), in paragraph (2)(a) for...
- 64. In Article 38 (statements of minimum standards), in paragraph (4)(d)...
- 65. In Article 40 (information, entry and inspection), in paragraph (3)(b)...

*The Access to Justice (Northern Ireland) Order 2003*

- 66. In Article 39 (conditional fee agreements: supplementary), in paragraph (2)(c)...
- 67. In Schedule 2 (civil legal services: excluded services), in paragraph...

*The Commissioner for Children and Young People (Northern Ireland) Order 2003*

- 68. In Article 3 (interpretation: child or young person), in paragraph...

*The Children and Adoption Act 2006*

- 69. Omit sections 9 to 12 (special restrictions on adoptions from...
- 70. In section 17 (short title, commencement and extent)—

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*The Sexual Offences (Northern Ireland) Order 2008*

71. In Article 34 (family relationships), in paragraph (1)(b) after “adoption)”...
72. In Article 36 (Articles 32 and 33: sexual relationships which...
73. In Article 68 (sex with an adult relative: penetration), in...
74. In Article 69 (sex with an adult relative: consenting to...

*The Human Fertilisation and Embryology Act 2008*

75. In section 55 (parental orders: supplementary provision), in subsection (3)—...

*The Children’s Services Co-operation Act (Northern Ireland) 2015*

76. In section 9 (interpretation), in subsection (2)(a) after “34D,” insert...

*The Mental Capacity Act (Northern Ireland) 2016*

77. In section 285 (family relationships etc.)— (a) in subsection (1),...

*The Data Protection Act 2018*

78. (1) Paragraph 8(1) of Schedule 3 (exemptions etc from GDPR:...
79. (1) Schedule 4 (exemptions etc. from the GDPR: disclosure prohibited...

*The Health and Social Care Act (Northern Ireland) 2022*

80. (1) Schedule 1 (transfer of the Regional Board’s functions) is...  
PART 2 — Amendments of subordinate legislation

*The Human Fertilisation and Embryology (Parental Orders) Regulations 2018*

81. In regulation 1 (citation, commencement, extent and interpretation), in paragraph...
82. (1) In regulation 4 (application of certain provisions of the...
84. (1) In Schedule 4 (references to adoption etc in enactments...

SCHEDULE 4 — Transitional and transitory provisions and savings

*Adoption support services*

1. (1) The facilities to be provided by an HSC trust...

*Pending applications for freeing orders*

2. Nothing in this Act affects any application for an order...

*Freeing orders*

3. (1) Nothing in this Act affects any order made under...

*Pending applications for adoption orders*

4. Nothing in this Act affects any application for an adoption...

*Pending applications for parental orders*

5. Where, immediately before the repeal of the Adoption (Northern Ireland)...

*Advertising*

6. In Article 60 of the Adoption (Northern Ireland) Order 1987...

*Registration of adoptions*

7. (1) The power of the court under paragraph 4(1) of...

*The Adoption (Hague Convention) Act (Northern Ireland) 1969*

8. (1) Despite the repeal of the Adoption (Hague Convention) Act...

*The Child Abduction (Northern Ireland) Order 1985*

9. Paragraph 5 of Schedule 3 does not affect the Schedule...

SCHEDULE 5 — Repeals

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**Changes and effects yet to be applied to :**

- Sch. 4 para. 1 repealed by [2022 c. 18 \(N.I.\) Sch. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by S.I. 2018/412, Sch. 3 (as substituted) by [2022 c. 18 \(N.I.\) Sch. 3 para. 83](#)