

Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: *Adoption and Children Act (Northern Ireland) 2022, Cross Heading: Orders made in Great Britain, etc. is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 7

Miscellaneous

PROSPECTIVE

Orders made in Great Britain, etc.

Effect of certain Scottish orders and provisions

109.—(1) A Scottish adoption order has effect in Northern Ireland as it has in Scotland, but as if references to the parental responsibilities and the parental rights in relation to a child were to parental responsibility for the child.

(2) A Scottish permanence order which includes provision granting authority for the child to be adopted has the same effect in Northern Ireland as it has in Scotland, but as if references to the parental responsibilities and the parental rights in relation to a child were to parental responsibility for the child.

(3) Any person who contravenes any of the provisions of the Adoption and Children (Scotland) Act 2007 mentioned in subsection (4) is guilty of an offence and is liable on summary conviction to imprisonment for a term not exceeding 3 months, or a fine not exceeding level 5 on the standard scale or both.

(4) The provisions are—

(a) section 20 (restrictions on removal: child placed for adoption);

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- (b) section 21 (restrictions on removal: notice of intention to adopt given);
- (c) section 22 (restrictions on removal: application for adoption order pending).

(5) Orders made under section 24 of the Adoption and Children (Scotland) Act 2007 (return of child removed in breach of certain provisions) are to have effect in Northern Ireland as if they were orders of the High Court under section 38 of this Act.

(6) In this section—

“Scottish adoption order” includes an order under section 25 of the Adoption (Scotland) Act 1978 (interim adoption orders);

“Scottish permanence order” means a permanence order under section 80 of the [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#) (including a deemed permanence order having effect by virtue of article 13(1), 14(2), 17(1) or 19(2) of the Adoption and Children (Scotland) Act 2007 (Commencement No. 4, Transitional and Savings Provisions) Order 2009).

Commencement Information

II S. 109 not in operation at Royal Assent, see [s. 160\(1\)](#)

Effect of certain orders made in England and Wales

110.—(1) The following have effect in Northern Ireland as they have effect in England and Wales—

- (a) an adoption order within the meaning of section 46(1) of the Adoption and Children Act 2002;
- (b) an order made under section 21 of that Act (placement orders), and the variation or revocation of such an order under section 23 or 24 of that Act;
- (c) an order under section 26 of that Act (contact);
- (d) an order under section 41 of that Act (recovery orders).

(2) Any person who contravenes any of the provisions of the Adoption and Children Act 2002 mentioned in subsection (3) is guilty of an offence and is liable on summary conviction to imprisonment for a term not exceeding 3 months, or a fine not exceeding level 5 on the standard scale or both.

(3) The provisions are—

- (a) section 30 (general prohibitions on removal);
- (b) section 34 (placement orders: prohibitions on removal);
- (c) section 36 (restrictions on removal).

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Commencement Information

I2 S. 110 not in operation at Royal Assent, see [s. 160\(1\)](#)

Use of adoption records from Great Britain, etc.

111. Any document which is receivable as evidence of any matter—

- (a) in Scotland under section 56(1) or (2) of the Adoption and Children (Scotland) Act 2007;
- (b) in England and Wales under section 77(4) and (5) of the Adoption and Children Act 2002; or
- (c) in the Isle of Man or any of the Channel Islands under a statutory provision corresponding to section 76(3) of this Act,

is also receivable as evidence of that matter in Northern Ireland.

Commencement Information

I3 S. 111 not in operation at Royal Assent, see [s. 160\(1\)](#)

Channel Islands and the Isle of Man

112.—(1) Regulations may provide—

- (a) for a reference in any provision of this Act to an order of a court to include an order of a court in the Isle of Man or any of the Channel Islands which appears to the Department to correspond in its effect to the order in question;
- (b) for a reference in any provision of this Act to an adoption agency to include a person who appears to the Department to exercise functions under the law of the Isle of Man or any of the Channel Islands which correspond to those of an adoption agency and for any reference in any provision of this Act to a child placed for adoption by an adoption agency to be read accordingly;
- (c) for a reference in any provision of this Act to a statutory provision (including a provision contained in this Act) to include a provision of the law of the Isle of Man or any of the Channel Islands which appears to the Department to correspond in its effect to that statutory provision;
- (d) for any reference in any provision of this Act to the United Kingdom or to Great Britain to include the Isle of Man or any of the Channel Islands.

(2) Regulations may modify any provision of this Act, as it applies to any order made, or other thing done, under the law of the Isle of Man or any of the Channel Islands.

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I4 S. 112 not in operation at Royal Assent, see [s. 160\(1\)](#)

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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](#)