

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Adoption and Children Act (Northern Ireland) 2022, Cross Heading: The Marriage (Northern Ireland) Order 2003 is up to date with all changes known to be in force on or before 07 May 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

PROSPECTIVE

SCHEDULES

SCHEDULE 3

Minor and consequential amendments

PART 1

Amendments of primary legislation

The Marriage (Northern Ireland) Order 2003

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

(2) For paragraph (2), substitute—

“(2) The relevant consents are—

- (a) if none of sub-paragraphs (b) to (h) apply, the consent of—
 - (i) any parent of the young person who has parental responsibility for the young person; and
 - (ii) any guardian of the young person;
- (b) where a special guardianship order is in force with respect to the young person, the consent of each of the young person’s special guardians, unless any of sub-paragraphs (c) to (g) applies;
- (c) where a care order is in force with respect to the young person, the consent of the Health and Social Care trust designated in the order, and each parent, guardian or special guardian (in so far as their parental responsibility has not been restricted under Article 52(3) of the Children (Northern Ireland) Order 1995), unless sub-paragraph (e) applies;
- (d) where a residence order is in force with respect to the young person, the consent of the persons with whom the young person lives, or is to live, as a result of the order, unless sub-paragraph (e) applies;
- (e) where an adoption agency is authorised to place the young person for adoption under section 16 of the Adoption and Children Act (Northern Ireland) 2022, the consent of that agency or, where a

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care order is in force with respect to the young person, the consent of the Health and Social Care trust designated in the order;

- (f) where a placement order is in force with respect to the young person, the consent of the appropriate adoption authority;
- (g) where a young person has been placed for adoption with prospective adopters, the consent of the prospective adopters (in so far as their parental responsibility has not been restricted under section 22(4) of the Adoption and Children Act (Northern Ireland) 2022), in addition to those persons specified in sub-paragraph (e) or (f);
- (h) where none of sub-paragraphs (b) to (g) apply but a residence order was in force with respect to the young person immediately before the young person reached the age of sixteen, the persons with whom the young person lived, or was to live, as a result of the order.”.

(3) For paragraph (4) substitute—

“(4) In paragraph (2)—

“care order”, “Health and Social Care trust”, “parental responsibility”, “residence order”, “special guardian” and “special guardianship order” have the same meaning as in the Children (Northern Ireland) Order 1995 and in sub-paragraph (a)(ii) of that paragraph the reference to any guardian of the young person is a reference to any person falling within the definition of “guardian of a child” in Article 2(2) of that Order;

“adoption agency”, “adoption authority”, “placement order” and “placed for adoption” have the same meaning as in the Adoption and Children Act (Northern Ireland) 2022;

“appropriate adoption authority” means the adoption authority authorised by the placement order to place the young person for adoption.”.

Commencement Information

II Sch. 3 para. 60 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](#)