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STATUTORY INSTRUMENTS

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**2003 No. 439**

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

*Introductory*

**Interpretation: “child or young person”**

3.—(1) In this Order “child or young person” means —

- (a) a person under the age of 18; and
- (b) a person aged 18 or over who falls within paragraph (2) or (3).

(2) A person falls within this paragraph if he is a person to or in respect of whom services are provided by, or on behalf of, or under arrangements made with, <sup>F1</sup>... a [<sup>F2</sup>Health and Social Care trust] by virtue of—

- (a) Article 34D, 35, 35A or 35B of the Children (Northern Ireland) Order 1995 (NI 2) (which provide for the continuing duties of those bodies towards young persons); or
- (b) regulations made under Article 34E of that Order (which may provide for the appointment of personal advisers for certain young persons).

(3) A person falls within this paragraph if—

- (a) he is under the age of 21 years; and
- (b) he is a disabled person within the meaning of the Disability Discrimination Act 1995 (c.50).

(4) Anything which is required or authorised by this Order to be done by a child or young person may be done by his parent or any other person acting on his behalf; and references in this Order to things done by a child or young person include references to things done on behalf of the child or young person.

(5) References in this Order to a child or young person in relation to any legal proceedings include references to a parent or any other person acting on behalf of the child or young person for the purposes of those proceedings.

(6) If, in the case of any adult, there are in the opinion of the Commissioner exceptional circumstances which make it appropriate to do so, the Commissioner may direct that paragraph (7) shall apply in relation to the adult.

(7) Where this paragraph applies in relation to an adult, then—

- (a) anything which is required or authorised by this Order to be done by a child or young person may be done by the adult if it relates to any action taken in relation to him at a time when he was a child or young person; and
- (b) anything which is required or authorised by this Order to be done by the Commissioner in relation to a child or young person may be done in relation to the adult if it relates to any action taken as mentioned in sub-paragraph (a).

(8) In paragraphs (6) and (7) “adult” means a person who is not a child or young person.

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**Changes to legislation:** *The Commissioner for Children and Young People (Northern Ireland) Order 2003, Section 3 is up to date with all changes known to be in force on or before 19 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](#)*

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- F1** Words in art. 3(2) omitted (1.4.2022) by virtue of Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 207(3)**; S.R. 2022/102, art. 2(b)
- F2** Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(c)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**

**Changes to legislation:**

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

- art. 3(2)(a) words inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 68](#)