

Changes to legislation: Human Fertilisation and Embryology Act 2008, Paragraph 72 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

SCHEDULES

SCHEDULE 6

AMENDMENTS RELATING TO PARENTHOOD IN CASES INVOLVING ASSISTED REPRODUCTION

PART 3

ENACTMENTS RELATING ONLY TO NORTHERN IRELAND

Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2))

- 72 (1) Article 7 of the Children (Northern Ireland) Order 1995 (acquisition of parental responsibility) is amended as follows.
- (2) In paragraph (1)(b), omit “(a “parental responsibility agreement”)”.
- (3) After paragraph (1) insert—
- “(1ZA) Where a child has a parent by virtue of section 43 of the Human Fertilisation and Embryology Act 2008 and is not a person to whom Article 155(3) applies, that parent shall acquire parental responsibility for the child if—
- (a) she becomes registered as a parent of the child;
 - (b) she and the child's mother make an agreement providing for her to have parental responsibility for the child; or
 - (c) the court, on her application, orders that she shall have parental responsibility for the child.
- (1ZB) An agreement under paragraph (1)(b) or (1ZA)(b) is known as a “parental responsibility agreement”.”
- (4) After paragraph (2) insert—
- “(2A) In paragraph (1)(a) “registered” means registered under—
- (a) Article 14(3)(a), (b) or (c) of the Births and Deaths Registration (Northern Ireland) Order 1976;
 - (b) paragraph (a), (b) or (c) of section 10(1) or 10A(1) of the Births and Deaths Registration Act 1953; or
 - (c) paragraph (a), (b)(i) or (c) of section 18(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965.
- (2B) In paragraph (1ZA)(a) “registered” means registered under—
- (a) Article 14ZA(3)(a), (b) or (c) of the Births and Deaths Registration (Northern Ireland) Order 1976;
 - (b) paragraph (a), (b) or (c) of section 10(1B) and of section 10A(1B) of the Births and Deaths Registration Act 1953; or

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- (c) paragraph (a), (b) or (d) of section 18B(1) of, or sections 18B(3)(a) and 20(1)(a) of, the Registration of Births, Deaths and Marriages (Scotland) Act 1965.”
- (5) In paragraph (3), omit the words from “and “registered”” to the end.
- (6) In paragraph (3A), after “paragraph (1)” insert “ , (1ZA) ”.
- (7) In paragraph (4)—
 - (a) for “the father” substitute “ a parent ”, and
 - (b) after “paragraph (1)(c)” insert “ or (1ZA)(c) ”.

Commencement Information

- II** Sch. 6 para. 72 wholly in force at 1.9.2009; Sch. 6 para. 72 not in force at Royal Assent see s. 68; Sch. 6 para. 72 in force for certain purposes at 6.4.2009 and at 1.9.2009 otherwise by S.I. 2009/479, art. 6(1)(e){(2)} (with Sch.)

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 55\(3\)\(e\)](#) and word inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 75\(b\)](#)