

## SCHEDULE 1

### CONSEQUENTIAL MODIFICATIONS: GENERAL

## PART 2

### AMENDMENT OF SECONDARY LEGISLATION

#### Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I. 22))

- 11.**—(1) The Adoption (Northern Ireland) Order 1987 is amended as follows.
- (2) In Article 2(2) (interpretation)(1)—
- (a) in the definition of “adoption agency” for “section 1 of the Adoption (Scotland) Act 1978 (adoption agencies in Scotland)” substitute “section 119(1)(a) of the Adoption and Children (Scotland) Act 2007 (interpretation)”;
  - (b) in the definition of “adoption order”—
    - (i) in paragraph (b) for “section 12 of the Adoption (Scotland) Act 1978” substitute “section 29 or 30 of the Adoption and Children (Scotland) Act 2007”;
    - (ii) in paragraph (c) for “section 49 of the Adoption (Scotland) Act 1978” substitute “section 59 of the Adoption and Children (Scotland) Act 2007”;
  - (c) in the definition of “order freeing a child for adoption” for “or section 18 of the Adoption (Scotland) Act 1978” substitute “a Scottish permanence order which includes provision granting authority for the child to be adopted”;
  - (d) in the definition of “overseas adoption” for “the Adoption (Scotland) Act 1978” substitute section 67(1) of the Adoption and Children (Scotland) Act 2007”;
  - (e) after the definition of “relative” insert—

““Scottish permanence order” means a permanence order under section 80 of the Adoption and Children (Scotland) Act 2007 (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 (S.S.I. 2009/267));”.
- (3) In Article 11 (restriction on arranging adoptions and placing children)(2) in paragraph (2)—
- (a) for “under section 3 of the Adoption (Scotland) Act 1978” substitute “a registered adoption service provided as mentioned in paragraph 8(1) of schedule 12 to the Public Services Reform (Scotland) Act 2010 and registered under Part 5 of that Act”;
  - (b) for “the society” substitute “it”; and
  - (c) for “section 1 of that Act of 1978” substitute “section 1(3) of the Adoption and Children (Scotland) Act 2007”.
- (4) In Article 16 (parental agreement)(3) in paragraph (1) after sub-paragraph (a) insert—
- “(aa) the child is the subject of a Scottish permanence order which includes provision granting authority for the child to be adopted; or”.

(1) Article 2 was amended by the Adoption (Intercountry Aspects) Act (Northern Ireland) 2001 (c.11) (NI), sections 6, 11 and 14 and by S.I. 1995/755 (N.I.2) and S.I. 2003/431 (N.I. 9).

(2) Article 11 was amended by the Care Standards Act 2000 (c.14), section 116 and Schedule 4 and by S.I. 1995/755 (N.I.2) and S.I. 2003/431.

(3) Article 16 was amended by S.I. 1995/755 S.I. 1998/1504 (N.I. 9) article 65 and Schedule 5.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) In Article 30 (return of child taken away in breach of Article 28 or 29)(4) in paragraphs (1) and (2), in each case, for sub-paragraph (c) substitute—

“(c) section 20, 21 or 22 of the Adoption and Children (Scotland) Act 2007,”.

(6) In Article 54 (disclosure of birth records of adopted children)(5)—

(a) in paragraph (3) after sub-paragraph (d) insert—

“(e) if he is in the United Kingdom and his adoption was arranged by a registered adoption service provided as mentioned in paragraph 8(1) of schedule 12 to the Public Services Reform (Scotland) Act 2010 and registered under Part 5 of that Act.”;

(b) in paragraph (4)(b) for “section 45 of the Adoption (Scotland) Act 1978” substitute “section 55(4)(b) of the Adoption and Children (Scotland) Act 2007”.

(7) In Article 58(1) (restriction on removal of children for adoption outside Northern Ireland)(6) for “section 49 of the Adoption (Scotland) Act 1978” substitute “section 59 of the Adoption and Children (Scotland) Act 2007”.

(8) In Article 63(2) (evidence of adoptions, etc.) for “section 45(2) of the Adoption (Scotland) Act 1978” substitute “section 56 of the Adoption and Children (Scotland) Act 2007”.

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(4) Article 30 was amended by [S.I. 1995/755 \(N.I.2\)](#).

(5) Article 54 was amended by [S.I. 1995/755 \(N.I.2\)](#) and [S.I. 2003/431 \(N.I. 9\)](#).

(6) Article 58 was amended by [S.I. 1995/755 \(N.I.2\)](#).