

SCHEDULES

SCHEDULE 3

Minor and consequential amendments

PART 1

Amendments of primary legislation

The Social Security Contributions and Benefits (Northern Ireland) Act 1992

18.—(1) Section 167ZBA (entitlement: prospective adopters with whom looked after children are placed) is amended as follows.

- (2) In subsection (1)—
 - (a) omit “who is looked after by an authority and”;
 - (b) for “the authority” substitute “an authority”;
 - (c) for “Article 27(2)(a)” substitute “Article 27”;
 - (d) omit “, in the circumstances mentioned in paragraph (2),”
 - (e) for “an approved foster parent who is also an approved prospective adopter” substitute “a person who is approved as an authority foster parent and approved as a prospective adopter”.
- (3) Omit subsection (2).
- (4) In subsection (3)—
 - (a) for “as if the following references or definitions were such references or definitions as may be prescribed” substitute “with the following modifications”;
 - (b) in paragraph (a) at the end add “are to be treated as references to the child being placed under Article 27 in that manner”;
 - (c) in paragraph (b) at the end add “is to be treated as a reference to the week in which the prospective adopter is notified that the child is to be, or is expected to be, placed with the prospective adopter under Article 27”;
 - (d) in paragraph (c) at the end add “is to be treated as a reference to placement under Article 27”;
 - (e) in paragraph (d) at the end add “is to be treated as if it were a definition of “prospective adopter””.

(5) In subsection (4), for “as mentioned in those subsections” substitute “under Article 27 of the Children (Northern Ireland) Order 1995”.

(6) In subsection (5)—

(a) for the definitions of “approved foster parent” and “approved prospective adopter” substitute—

““approved as an authority foster parent” and “approved as a prospective adopter” have the meanings given by Article 27(9D) of the Children (Northern Ireland) Order 1995;”;

(b) omit the definition of “child who is looked after by an authority”.

(7) Omit subsection (6).

19. In section 167ZL (statutory adoption pay: entitlement), in subsection (4A) for “the Adoption (Northern Ireland) Order 1987 (see Article 2(6) to (8) of that Order)” substitute “the Adoption and Children Act (Northern Ireland) 2022 (see section 159(3) of that Act)”.

20.—(1) Section 167ZLA (entitlement: prospective adopters with whom looked after children are placed) is amended as follows.

(2) In subsection (1)—

(a) omit “who is looked after by an authority and”;

(b) for “the authority” substitute “an authority”;

(c) for “Article 27(2)(a)” substitute “Article 27”;

(d) omit “, in the circumstances mentioned in paragraph (2),”

(e) for “an approved foster parent who is also an approved prospective adopter” substitute “a person who is approved as an authority foster parent and approved as a prospective adopter”.

(3) Omit subsection (2).

(4) In subsection (3)—

(a) for “as if the following references or definitions were such references or definitions as may be prescribed” substitute “with the following modifications”;

(b) in paragraph (a) at the end add “is to be treated as a reference to the child being placed under Article 27 in that manner”;

(c) in paragraph (b) at the end add “is to be treated as a reference to the week in which the prospective adopter is notified that the child is to be, or is expected to be, placed with the prospective adopter under Article 27”;

(d) in paragraph (c) at the end add “is to be treated as a reference to placement, or expected placement, under Article 27”.

(5) In subsection (4) for “as mentioned in subsection (1)” substitute “under Article 27 of the Children (Northern Ireland) Order 1995”.

(6) In subsection (5)—

- (a) for ““approved foster parent”, “approved prospective adopter”,” substitute ““approved as an authority foster parent”, “approved as a prospective adopter” and”;
- (b) omit “and “child who is looked after by an authority””.

21.—(1) Section 167ZY (entitlement: prospective adopters with whom looked after children are placed) is amended as follows.

(2) In paragraph (1)—

- (a) omit “who is looked after by an authority and”;
- (b) for “the authority” substitute “an authority”;
- (c) for “Article 27(2)(a)” substitute “Article 27”;
- (d) omit “, in the circumstances mentioned in paragraph (2),”
- (e) for “an approved foster parent who is also an approved prospective adopter” substitute “a person who is approved as an authority foster parent and approved as a prospective adopter”.

(3) Omit subsection (2).

(4) In subsection (3) for the words from “as if” to the end substitute “, with the following modifications—

- (a) the references to a child being placed for adoption under the law of any part of the United Kingdom are to be treated as references to being placed under Article 27 of the Children (Northern Ireland) Order 1995 with a person who is approved as an authority foster parent and approved as a prospective adopter;
- (b) the references to a placement for adoption are to be treated as references to placement under Article 27 of the Children (Northern Ireland) Order 1995 with such a person.

(5) In subsection (4)—

- (a) for ““approved foster parent”, “approved prospective adopter”,” substitute ““approved as an authority foster parent”, “approved as a prospective adopter” and”;
- (b) omit “and “child who is looked after by an authority””.