

*Status: This version of this provision is prospective.*

**Changes to legislation:** *Adoption and Children Act (Northern Ireland) 2022, Section 8 is up to date with all changes known to be in force on or before 19 June 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*



## 2022 CHAPTER 18

### PART 1

#### Adoption

#### CHAPTER 2

#### The Adoption Service

#### *The Adoption Service*

PROSPECTIVE

#### **Inactive or defunct adoption societies, etc.**

**8.—**(1) This section applies where it appears to the Department that—

- (a) a body which is or has been an appropriate voluntary organisation is inactive or defunct, or
- (b) a body which has ceased to be an appropriate voluntary organisation by virtue of the cancellation of its registration has not made such arrangements for the transfer of its functions relating to children as are specified in a direction given by the Department.

(2) The Department may, in relation to such functions of the body as relate to children, direct what appears to it to be the appropriate adoption authority to take any such action as might have been taken by the body or by the body jointly with the authority.

(3) An adoption authority is entitled to take any action which—

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(a) apart from this subsection the authority would not be entitled to take, or would not be entitled to take without joining the body in the action, but

(b) the authority is directed to take under subsection (2).

(4) The Department may charge the body for expenses necessarily incurred by the Department or on its behalf in securing the transfer of the body's functions relating to children.

(5) Before giving a direction under subsection (2) the Department must, if practicable, consult both the body and the adoption authority.

(6) In this section "registration" means registration under Part 3 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

#### Commencement Information

**II** S. 8 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](#)