
STATUTORY INSTRUMENTS

1995 No. 756

**The Children (Northern Ireland
Consequential Amendments) Order 1995**

The Child Abduction and Custody Act 1985

11.—(1) The Child Abduction and Custody Act 1985⁽¹⁾ shall have effect subject to the following provisions of this Article.

(2) In sections 9(a) and 20(2)(a) (suspension of court’s powers in cases of wrongful removal and in certain other cases), for the words “section 95(1), 97(2), 143(6) or 144 of the Children and Young Persons Act (Northern Ireland) 1968 (not being a custody order)” there shall be substituted the words “Article 50 of the Children (Northern Ireland) Order 1995”.

(3) In section 20(2)(a) (suspension of court’s powers), at the end there shall be added the word “or”.

(4) In section 27(4) (references to decision relating to rights of access), after the words “England and Wales” there shall be inserted the words “or Northern Ireland”.

(5) In Part III of Schedule 3 (orders in Northern Ireland which are custody orders for the purposes of the Act), for paragraph 8 there shall be substituted the following paragraph—

“**8.** The following orders—

- (a) a care order under the Children (Northern Ireland) Order 1995 (as defined by Article 49(1) of that Order read with Article 2(2) and Schedule 8);
- (b) a residence order (as defined by Article 8 of that Order);
- (c) any order made by a court in Northern Ireland under any of the following enactments—
 - (i) section 5 of the Guardianship of Infants Act 1886 (except so far as it relates to costs);
 - (ii) section 49 of the Mental Health Act (Northern Ireland) 1961;
 - (iii) Article 45(1) or (2) or 46 of the Matrimonial Causes (Northern Ireland) Order 1978;
 - (iv) Article 10(2)(a), 12(1) or 20(1)(ii) of the Domestic Proceedings (Northern Ireland) Order 1980;
 - (v) Article 27(1)(b) of the Adoption (Northern Ireland) Order 1987.”.

⁽¹⁾ 1985 c. 60; sections 9(a) and 20(2)(a) were amended by the Children Act 1989 (c. 41), Schedule 13 paragraph 57(1); section 20(2)(aa) was inserted by the Family Law Act 1986 (c. 55), Schedule 1 paragraph 29; section 27(4) was added by the Children Act 1989 (c. 41), Schedule 13 paragraph 57(2).