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STATUTORY RULES OF NORTHERN IRELAND

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**2023 No. 11**

**HEALTH AND PERSONAL SOCIAL SERVICES**

**The Children’s Court Guardian Agency for Northern Ireland  
(Establishment and Constitution) Order (Northern Ireland) 2023**

*Made* - - - - *13th February 2023*

*Coming into operation* *6th March 2023*

The Department of Health, in exercise of the powers conferred on it by Article 3(1), (2), (4) and (6) of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990<sup>(1)</sup> and of all other powers enabling it in that behalf, and after consultation, in accordance with Article 3(5) of that order, with such bodies as it recognises as representing officers who in its opinion are likely to be transferred or affected by transfers in pursuance of this order, hereby makes the following order:

**Citation, commencement and interpretation**

1.—(1) This order may be cited as the Children’s Court Guardian Agency for Northern Ireland (Establishment and Constitution) Order (Northern Ireland) 2023 and shall come into operation on 6th March 2023.

(2) In this order—

“The Agency” means the Children’s Court Guardian Agency for Northern Ireland;

“The Department” means the Department of Health;

“member” includes chairman.

**Establishment of the Children’s Court Guardian Agency for Northern Ireland**

2. There is hereby established a special health and social care agency which shall be known as the Children’s Court Guardian Agency for Northern Ireland.

**Constitution of the Agency**

3. The Agency shall consist of such number of members as the Department may from time to time determine, all of whom shall be appointed by the Department and of whom one shall be appointed chairman.

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(1) [S.I.1990/247 \(N.I. 3\)](#)

### **Tenure of Office**

4. Subject to Article 5, the tenure of office of a member shall be four years or such other period as may be determined by the Department at the time the appointment is made.

### **Termination of tenure of office**

5.—(1) A member may resign his office at any time during the period for which he was appointed by giving notice in writing to the Department.

(2) Where the Department is satisfied that it is not in the interests of the Agency, or any of the health and social care bodies (as defined in Article 2(2A) of the principal order<sup>(2)</sup>) that a person whom it has appointed as a member under Article 3 should continue to hold that office, it may forthwith terminate that member's tenure of office.

(3) Where the place of a member becomes vacant before the expiration of his tenure of office whether by death, resignation or otherwise, the vacancy shall be filled by appointment by the Department and any person so appointed shall hold office for the remainder of the tenure of office of the former member.

### **Proceedings of the Agency**

6. The proceedings of the Agency shall not be invalidated by any vacancy in the membership of the Agency or by any defect in the appointment of any of its members.

### **Revocations**

7. The Northern Ireland Guardian ad Litem Agency (Establishment and Constitution) Order (Northern Ireland) 1995<sup>(3)</sup> is revoked

Sealed with the Official Seal of the Department of Health on 13th February 2023



*Mark McGuicken*  
A senior officer of the  
Department of Health

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(2) [S.I./1972/1265 N.I. 14](#)  
(3) [S.R./1995/397](#)

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This order provides for the name of the Northern Ireland Guardian ad Litem Agency for Northern Ireland, which was established and constituted as a special health and social services agency under the Northern Ireland Guardian ad Litem Agency (Establishment and Constitution) Order (Northern Ireland) 1995, to be changed to the Children's Court Guardian Agency for Northern Ireland.