

These notes refer to the Adoption and Children Act (Northern Ireland) 2022 (c.18) which received Royal Assent on 27 April 2022

Adoption and Children Act (Northern Ireland) 2022

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 - Adoption

Chapter 5 – Registers

Section 78: Connections between the register and birth records

Subsection (1) places a duty on the Registrar General to make traceable the connection between any entry in the registers of live-births or other records which has been marked "Adopted" and any corresponding entry in the Adopted Children Register. *Subsection (2)* provides that public access to this index is prohibited. *Subsection (3)* provides that any such information held under subsections (1) and (2), and any other information which would enable an adopted person to obtain a certified copy of the record of their birth, may only be disclosed by the Registrar General in accordance with this section. *Subsection (4)* provides that, in relation to a person adopted before the appointed day a court may, in exceptional circumstances, order the Registrar General to give such information to a person. The appointed day is defined in *subsection (9)* as the day appointed for the commencement of sections 55 to 64. *Subsection (5)* provides that the Registrar General is to provide an appropriate adoption agency, upon application by the agency, with any information mentioned in subsection (3). *Subsection (6)* provides that for people adopted before the commencement of sections 55 to 64, Schedule 2 applies and subsection (5) does not.

Subsection (7) enables the Registrar General to make regulations to set out the manner in which applications must be made by an adopted person aged under 18 who intends to be married or form a civil partnership requesting information as to whether their intended spouse or civil partner may be within the prohibited degrees of relationship for the purpose of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 and the Civil Partnership Act 2004. *Subsection (8)* enables the Registrar General to make regulations requiring the payment of a prescribed fee in respect of information given under section 78. A fee is not chargeable in respect of an application made under *subsection (7)*.