



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 5

Registers

Adopted Children Register, etc.

Adopted Children Register

76.—(1) The Registrar General must continue to maintain at the General Register Office a register, to be called the Adopted Children Register.

(2) The Adopted Children Register is not to be open to public inspection or search, subject to regulations under this section.

(3) No entries may be made in the Adopted Children Register other than entries—

- (a) directed to be made in it by adoption orders; or
- (b) required to be made under Schedule 1.

(4) A certified copy of an entry in the Adopted Children Register, if purporting to be sealed or stamped with the seal of the General Register Office, is to be received as evidence of the adoption to which it relates without further or other proof.

(5) Where an entry in the Adopted Children Register contains a record—

- (a) of the date of birth of the adopted person; or
- (b) of the country, or the registration district, of the birth of the adopted person,

a certified copy of the entry is also to be received, without further or other proof, as evidence of that date, or country or registration district, (as the case may be) in all respects as if the copy were a certified copy of an entry in the registers of live-births.

(6) Schedule 1 (registration of adoptions and the amendment of adoption orders) has effect.

(7) Regulations may make provision for any person to have access, on payment of the prescribed fee, to any information contained in the Adopted Children Register.

(8) Regulations under subsection (7) may provide that the relevant period must have expired in relation to the information.

(9) In subsection (8) “the relevant period” in relation to the adoption of a child means the expiration of the period of 100 years from the date of the child’s birth or such other period as may be prescribed.

(10) Regulations under subsection (7) may provide for the Registrar General—

- (a) to make arrangements with any person for the purpose of providing access to information as mentioned in that subsection; and
- (b) for that purpose to transfer information to that person subject to conditions (including conditions as to the making of payments by that person to the Registrar General).

Searches and copies

77.—(1) The Registrar General must continue to maintain at the General Register Office an index of the Adopted Children Register.

(2) Any person may—

- (a) search the index;
- (b) have a certified copy of any entry in the Adopted Children Register.

(3) But a person is not entitled to have a certified copy of an entry in the Adopted Children Register relating to an adopted person who has not attained the age of 18 years unless the applicant has provided the Registrar General with the prescribed particulars.

(4) The terms, conditions and regulations as to payment of fees, and otherwise, applicable under the Births and Deaths Registration (Northern Ireland) Order 1976 in respect of—

- (a) searches in indexes kept in the General Register Office;
- (b) the supply from that Office of certified copies of entries in the registers of live-births,

also apply in respect of searches, and supplies of certified copies, under subsection (2).

Connections between the register and birth records

78.—(1) The Registrar General must 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.

(2) Information kept by the Registrar General for the purposes of subsection (1) is not to be open to public inspection or search.

(3) Any such information, and any other information which would enable an adopted person to obtain a certified copy of the record of the adopted person’s birth, may only be disclosed by the Registrar General in accordance with this section.

(4) In relation to a person adopted before the appointed day the court may, in exceptional circumstances, order the Registrar General to give any information mentioned in subsection (3) to a person.

(5) On an application made in the prescribed manner by the appropriate adoption agency in respect of an adopted person a record of whose birth is kept by the Registrar General, the Registrar General must give the agency any information relating to the adopted person which is mentioned in subsection (3).

(6) In relation to a person adopted before the appointed day, Schedule 2 applies instead of subsection (5).

(7) On an application made in the prescribed manner by an adopted person a record of whose birth is kept by the Registrar General and who—

- (a) is under the age of 18 years; and
- (b) intends to be married or form a civil partnership,

the Registrar General must inform the applicant whether or not it appears from information contained in the registers of live-births or other records that the applicant and the intended spouse or civil partner may be within the prohibited degrees of relationship.

(8) Before the Registrar General gives any information by virtue of this section, any prescribed fee which the Registrar General has demanded must be paid, but this does not apply to an application under subsection (7).

(9) In this section—

“appointed day” means the day appointed for the commencement of sections 55 to 64;

“appropriate adoption agency” has the same meaning as in section 64;

“prohibited degrees of relationship” is to be construed in accordance with Article 18 of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 and Schedule 12 to the Civil Partnership Act 2004.

Adoption Contact Register

Adoption Contact Register

79.—(1) The Registrar General must maintain at the General Register Office in accordance with regulations a register in two Parts to be called the Adoption Contact Register.

(2) Part 1 of the register is to contain the prescribed information about adopted persons who have given the prescribed notice expressing their wishes as to making contact with their relatives.

(3) The Registrar General may only make an entry in Part 1 of the register for an adopted person—

- (a) a record of whose birth is kept by the Registrar General;
- (b) who has attained the age of 18 years; and
- (c) who the Registrar General is satisfied has such information as is necessary to enable the person to obtain a certified copy of the record of the person’s birth.

(4) Part 2 of the register is to contain the prescribed information about persons who have given the prescribed notice expressing their wishes, as relatives of adopted persons, as to making contact with those persons.

(5) The Registrar General may only make an entry in Part 2 of the register for a person—

- (a) who has attained the age of 18 years; and
- (b) who the Registrar General is satisfied is a relative of an adopted person and has such information as is necessary to enable the relative to obtain a certified copy of the record of the adopted person’s birth.

(6) Regulations may provide for—

- (a) the disclosure of information contained in one Part of the register to persons for whom there is an entry in the other Part;
- (b) the payment of prescribed fees in respect of the making or alteration of entries in the register and the disclosure of information contained in the register.

Adoption Contact Register: supplementary

80.—(1) The Adoption Contact Register is not to be open to public inspection or search.

(2) In section 79, “relative”, in relation to an adopted person, means any person who (but for the adopted person’s adoption) would be related to the adopted person by blood (including half-blood), marriage or civil partnership.

(3) The Registrar General must not give any information entered in the register to any person except in accordance with subsection (6)(a) of that section or regulations made by virtue of section 63(4)(b).

Interpretation

81.—(1) In this Chapter—

“prescribed” means prescribed by regulations;

“records” includes certified copies kept by the Registrar General of entries in any register of births;

“registers of live-births” means the registers of live-births made under the Births and Deaths Registration (Northern Ireland) Order 1976;

“regulations” means regulations made by the Department of Finance.

(2) Any register, record or index maintained under this Chapter may be maintained in any form the Registrar General considers appropriate; and references (however expressed) to entries in such a register, or to their amendment, marking or cancellation, are to be read accordingly.