

SCHEDULES

SCHEDULE 3

Minor and consequential amendments

PART 1

Amendments of primary legislation

The Family Homes and Domestic Violence (Northern Ireland) Order 1998

52. In Article 2 (interpretation)—

(a) in paragraph (2) for the definition of “adoption order” substitute—

““adoption order” means an adoption order within the meaning of Article 2(2) of the Adoption (Northern Ireland) Order 1987 or section 43(1) of the Adoption and Children Act (Northern Ireland) 2022;”;

(b) in paragraph (3), after sub-paragraph (i) insert—

“(j) the Adoption and Children Act (Northern Ireland) 2022.”.

53. In Article 3 (meaning of “cohabitees” etc.)—

(a) in paragraph (2), in sub-paragraph (b) after “Adoption (Northern Ireland) Order 1987” insert “, the Adoption and Children Act (Northern Ireland) 2022”;

(b) in paragraph (5), for the words from “has been freed” to “Order 1987” substitute “falls within paragraph (7)”;

(c) after paragraph (6) insert—

“(7) A child falls within this paragraph if—

(a) an adoption agency, within the meaning of section 2 of the Adoption and Children Act (Northern Ireland) 2022, is authorised to place the child for adoption under section 16 of that Act (placing children with parental consent) or an order under section 18 of that Act (placement orders);

(b) an adoption agency, within the meaning of section 2(1) of the Adoption and Children Act 2002, is authorised to place the child for adoption under section 19 of that Act (placing children

with parental consent) or an order under section 21 of that Act (placement orders);

- (c) the child is freed for adoption by an order made under Article 17(1) or 18(1) of the Adoption (Northern Ireland) Order 1987; or
- (d) the child is the subject of a Scottish permanence order which includes provision granting authority to adopt.

(8) In paragraph (7), “Scottish permanence order” means a permanence order under section 80 of the Adoption and Children (Scotland) Act 2007 (including a deemed permanence order having effect by virtue of article 13(1), 14(2), 17(1) or 19(2) of the Adoption and Children (Scotland) Act 2007 (Commencement No. 4, Transitional and Savings Provisions) Order 2009).”.