



2022 CHAPTER 18

PART 2

Children order amendments

Inquiries into representations

130.—(1) In Article 35D of the Children Order (representations: Articles 34B to 35B), after paragraph (1) insert—

“(1A) Regulations may be made by the Department imposing time limits on the making of representations under paragraph (1).”.

(2) Article 45 of the Children Order (reviews and representations) is amended in accordance with subsections (3) to (7).

(3) In paragraph (3) (which makes provision as to the persons by whom, and the matters in respect of which, representations may be made), for “functions under this Part” substitute “qualifying functions”.

(4) After that paragraph insert—

“(3A) The following are qualifying functions for the purposes of paragraph (3)—

- (a) functions under this Part;
- (b) such functions under Part 5 or 6 as are specified by the Department in regulations.

(3B) The duty under paragraph (3) extends to representations (including complaints) made to the authority by—

- (a) any person mentioned in section 4(1) of the Adoption and Children Act (Northern Ireland) 2022 (persons for whose needs provision is made by the Adoption Service) and any other person to

whom arrangements for the provision of adoption support services (within the meaning of that Act) extend;

- (b) any other person the authority considers has sufficient interest in a child who is or may be adopted to warrant that person's representations being considered by the authority,

about the discharge by the authority of such functions under the Adoption and Children Act (Northern Ireland) 2022 as are specified by the Department in regulations.

(3C) The duty under paragraph (3) extends to any representations (including complaints) which are made to the authority by—

- (a) a child with respect to whom a special guardianship order is in force;
- (b) a special guardian or a parent of such a child;
- (c) any other person the authority considers has a sufficient interest in the welfare of such a child to warrant that person's representations being considered by the authority; or
- (d) any person who has requested an assessment under Article 14F(3) or (4),

about the discharge by the authority of such functions under Article 14F as are specified by the Department in regulations.”.

(5) In paragraph (4) (procedure to require involvement of independent person), at the end add “, but this paragraph is subject to paragraph (5A).”.

(6) After that paragraph insert—

“(4A) Regulations may be made by the Department imposing time limits on the making of representations under this Article.”.

(7) After paragraph (5) insert—

“(5A) Regulations under paragraph (5) may provide that paragraph (4) does not apply in relation to any consideration or discussion which takes place as part of a procedure for which provision is made by the regulations for the purpose of resolving informally the matters raised in the representations.”.

(8) In Article 183 of the Children Order (regulations and orders), after paragraph (2) insert—

“(2A) Regulations under Article 35D(1A) or Article 45(4A) must not be made unless a draft of the regulations has been laid before, and approved by resolution of, the Assembly.”.