

Status: This version of this provision is prospective.

Changes to legislation: Adoption and Children Act (Northern Ireland) 2022, Section 78 is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 5

Registers

Adopted Children Register, etc.

PROSPECTIVE

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

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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.

Commencement Information

- II** S. 78 not in operation at Royal Assent, see [s. 160\(1\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by S.I. 2018/412, Sch. 3 (as substituted) by [2022 c. 18 \(N.I.\) Sch. 3 para. 83](#)