

*Status: This version of this provision is prospective.*

**Changes to legislation:** *Adoption and Children Act (Northern Ireland) 2022, Section 97 is up to date with all changes known to be in force on or before 08 July 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 **N.I.**

#### Adoption

### CHAPTER 7 **N.I.**

#### Miscellaneous

#### *Restrictions*

PROSPECTIVE

### **Offence of breaching restrictions under section 96 **N.I.****

97.—(1) A person who contravenes section 96(1) is guilty of an offence; and, if that person is an adoption society, the person who manages the society is also guilty of the offence.

(2) A person (“P”) is not guilty of an offence under subsection (1) of taking the step mentioned in paragraph (f) of section 96(2) unless it is proved that P knew or had reason to suspect that the child was handed over to the person in contravention of paragraph (e) of that subsection.

(3) A person (“P”) is not guilty of an offence under subsection (1) of causing a person to take any of the steps mentioned in paragraphs (a) to (h) of section 96(2) unless it is proved that P knew or had reason to suspect that the step taken would contravene the paragraph in question.

(4) But subsections (2) and (3) only apply if sufficient evidence is adduced to raise an issue as to whether the person had the knowledge or reason mentioned.

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(5) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months, or a fine not exceeding £10,000, or both.

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**Commencement Information**

**II** S. 97 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](#)