

SCHEDULE

Article 3(7).

MODIFICATIONS OF ARTICLE 3 FOR CHILDREN IN CERTAIN CASES

Children [F1 in the care of an authority]F2. . .

F1 1995 NI 2

F2 1998 NI 9

1.—(1) This paragraph applies in the case of a child who is[F3 in the care of an authority (within the meaning of the Children (Northern Ireland) Order 1995)]F4. . .

(2) Where this paragraph applies, Article 3 shall have effect as if—

- (a) the reference in paragraph (1) to the appropriate consent were a reference to the consent of the[F3 authority]F4. . . ; and
- (b) paragraphs[F3 (2A) to (4)] and the definition of “the appropriate consent” in paragraph (5) were omitted.

F3 1995 NI 2

F4 1998 NI 9

Para. 2 rep. by 1998 NI 9

Adoption

3.—(1) This paragraph applies in the case of a child—

- [F5(a) who is the subject of an order under Article 17 or 18 of the Adoption (Northern Ireland) Order 1987 freeing him for adoption; or
 - (aa) who is the subject of a pending application for such an order; or
 - (aaa) who is the subject of a pending application for an adoption order; or]
 - (b) who is the subject of an order under[F5 Article 57 of the Adoption (Northern Ireland) Order 1987 or] section 38 of the Adoption Act (Northern Ireland) 1967 relating to adoption abroad or of a pending application for such an order.

(2) Where this paragraph applies, Article 3 shall have effect as if—

- (a) the reference in paragraph (1) to the appropriate consent were a reference—
 - [F5(i) in a case within sub#paragraph (1)(a), to the consent of the adoption agency which made the application for the order or, if the[F6 order has been varied under Article 21 of the Adoption (Northern Ireland) Order 1987 so as to give parental responsibility to another agency] to the consent of that other agency;
 - (ia) in a case within sub#paragraph (1)(aa) or (aaa), to the leave of the court to which the application was made; and]
 - (ii) in a case within sub-paragraph (1)(b), to the leave of the court which made the order or, as the case may be, to which the application was made, and
- (b) paragraphs[F6 (2A) to (4)] and the definition of “the appropriate consent” in paragraph (5) were omitted.

[F5(3) In this paragraph—

Changes to legislation: The Child Abduction (Northern Ireland) Order 1985 is up to date with all changes known to be in force on or before 23 June 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

- (a) “adoption agency” has the same meaning as in Article 3 of the Adoption (Northern Ireland) Order 1987; and
- (b) “adoption order” means an order under Article 12(1) of that Order.]

F5 1987 NI 22
F6 1995 NI 2

Children subject to training school orders

4.—(1) This paragraph applies in the case of a child who is subject to a^{F7} juvenile justice centre] order^{F8}, except where he is lawfully living with his parents or either of them.

(2) Where this paragraph applies, Article 3 shall have effect as if—

- (a) the reference in paragraph (1) to the appropriate consent were a reference to the consent of^{F8} the managers of the^{F7} juvenile justice centre]^{F8}; and
- (b) paragraphs^{F9} (2A) to (4)] and the definition of “the appropriate consent” in paragraph (5) were omitted.

^{F7}(3) In this paragraph, “juvenile justice centre order” has the same meaning as in Article 39 of the Criminal Justice (Children) (Northern Ireland) Order 1998^{F8}.]

F7 1998 NI 9
F8 prosp. inserted by 2002 c. 26
F9 1995 NI 2

Cases within paragraphs 1 and 3

5. In the case of a child falling within both paragraph 1 and paragraph 3, the provisions of paragraph 3 shall apply to the exclusion of those in paragraph 1.

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. para. 3(1)(2) substituted by 2022 c. 18 (N.I.) Sch. 3 para. 5(2)
- Sch. para. 3(3)(a) words substituted by 2022 c. 18 (N.I.) Sch. 3 para. 5(3)(a)
- Sch. para. 3(3)(b) words substituted by 2022 c. 18 (N.I.) Sch. 3 para. 5(3)(b)
- art. 3(2A)(a)(b) substituted by 2022 c. 18 (N.I.) Sch. 3 para. 4(3)
- art. 3(3A)(a)(i) word repealed by 2022 c. 18 (N.I.) Sch. 3 para. 4(4)(a)Sch. 5
- art. 3(5) words inserted by 2022 c. 18 (N.I.) Sch. 3 para. 4(5)(a)
- art. 3(5) words inserted by 2022 c. 18 (N.I.) Sch. 3 para. 4(5)(b)

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

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 3(2)(ca) inserted by 2022 c. 18 (N.I.) Sch. 3 para. 4(2)
- art. 3(3A)(a)(ia) inserted by 2022 c. 18 (N.I.) Sch. 3 para. 4(4)(b)