

STATUTORY INSTRUMENTS

1987 No. 2203

The Adoption (Northern Ireland) Order 1987

PART II

ARRANGEMENTS FOR ADOPTION

Supplemental

Regulation of adoption agencies

10.—(1) Regulations may make provision for any purpose relating to the exercise by adoption agencies of their functions in connection with the adoption of children.

[^{F1}(1A) Regulations under paragraph (1) may in particular make, in relation to an appropriate voluntary organisation any provision which regulations under Article 23(2) or (7) of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 may make in relation to a fostering agency (within the meaning of that Order).]

(2) Regulations may make the contravention of any regulation an offence punishable on summary conviction by a fine not exceeding level 5 on the standard scale.

F1 Art. 10(1A) inserted (3.9.2010 for certain purposes otherwise 29.10.2010) by [Health and Personal Social Services \(Quality, Improvement and Regulation\) \(Northern Ireland\) Order 2003 \(S.I. 2003/431\)](#), arts. 1(3), 50(1), Sch. 4; S.R. 2010/288, arts. 2, 3, Schs. 1, 2 (with arts. 4, 5)

Restriction on arranging adoptions and placing children

11.—(1) A person other than an adoption agency shall not make arrangements for the adoption of a child, or place a child for adoption, unless—

- (a) he is a parent of the child and the proposed adopter, or one of the proposed adopters, is a relative of the child; or
- (b) he is acting in pursuance of an order of the High Court.

(2) An adoption society approved as respects England and Wales^{F2} under section 3 of the Adoption Act 1976 or as respects Scotland [^{F3}a registered adoption service provided as mentioned in paragraph 8(1) of schedule 12 to the Public Services Reform (Scotland) Act 2010 and registered under Part 5 of that Act], but which is not^{F4}an appropriate voluntary organisation], shall not act as an adoption society in Northern Ireland except to the extent that [^{F5}it] considers it necessary to do so in the interests of a person mentioned in section 1 of that Act of 1976 or, as the case may be, [^{F6}section 1(3) of the Adoption and Children (Scotland) Act 2007].

(3) A person who—

- (a) takes part in the management or control of a body of persons which exists wholly or partly for the purpose of making arrangements for the adoption of children and^{F7} which is not—

Changes to legislation: *The Adoption (Northern Ireland) Order 1987, Cross Heading: Supplemental is up to date with all changes known to be in force on or before 20 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*

(i) [F8]an]HSS trust; or

(ii) a voluntary adoption agency within the meaning of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 in respect of which he is registered;]

; or

(b) contravenes paragraph (1); or

(c) receives a child placed with him in contravention of paragraph (1);

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both.

(4) In any proceedings for an offence under paragraph (2)(a) proof of things done or of words written, spoken, or published (whether or not in the presence of any party to the proceedings) by any person taking part in the management or control of a body of persons, or in making arrangements for the adoption of children on behalf of the body, shall be admissible as evidence of the purpose for which that body exists.

Para. (5) rep by 1995 NI 2

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| F2 | 1976 c 36 |
| F3 | Words in art. 11(2) substituted (15.7.2011) by Adoption and Children (Scotland) Act 2007 (Consequential Modifications) Order 2011 (S.I. 2011/1740) , arts. 1(2), 2, Sch. 1 para. 11(3)(a) |
| F4 | Words in art. 11(2) substituted (29.10.2010) by virtue of Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 9)) , arts. 1(3), 50(1), Sch. 4; S.R. 2010/288, art. 3 , Sch. 1 |
| F5 | Words in art. 11(2) substituted (15.7.2011) by Adoption and Children (Scotland) Act 2007 (Consequential Modifications) Order 2011 (S.I. 2011/1740) , arts. 1(2), 2, Sch. 1 para. 11(3)(b) |
| F6 | Words in art. 11(2) substituted (15.7.2011) by Adoption and Children (Scotland) Act 2007 (Consequential Modifications) Order 2011 (S.I. 2011/1740) , arts. 1(2), 2, Sch. 1 para. 11(3)(c) |
| F7 | Words in art. 11(3)(a) substituted (29.10.2010) by Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 9)) , arts. 1(3), 50(1), Sch. 4; S.R. 2010/288, art. 3 , Sch. 1 |
| F8 | Word in art. 11(3)(a)(i) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3) , s. 8(1)(b), Sch. 1 para. 106 ; S.R. 2022/102, art. 2(b) |

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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):

- s. 6(2) words inserted by [S.I. 2019/1514 reg. 29\(4\)](#)
- art. 60(1A) inserted by [2022 c. 18 \(N.I.\) Sch. 4 para. 6\(a\)](#)