

SCHEDULES

SCHEDULE 3

Article 72(1).

TRANSITIONAL PROVISIONS AND SAVINGS

1. Where any period of time specified in a statutory provision repealed by this Order is current at the commencement date, this Order shall have effect as if the corresponding provision thereof had been in force when that period began to run.

2.—(1) An interim order made under section 8 of the Adoption Act (Northern Ireland) 1967⁽¹⁾ which is in force at the commencement date shall be treated as an interim order made under Article 26.

(2) Paragraphs (1) and (2) of Article 52, shall apply in relation to an adoption order made before the commencement date as if the order had been made under Article 12, but as if, in sub-paragraph (b) of the said paragraph (1), there were substituted for the reference to Article 51(4) or (5) a reference to section 14(4) or (5) of the Adoption of Children Act (Northern Ireland) 1950⁽²⁾ or, as the case requires, section 24(4) or (5) of the Adoption Act (Northern Ireland) 1967.

(3) The power of the court under Article 52(1) to amend an order includes power, in relation to an order made before 1st December 1969, to make on the application of the adopter or adopted person any such amendment of the particulars contained in the order as appears to be required to bring the order into the form in which it would have been made if Article 52 had applied to the order.

(4) Paragraphs (1) and (4) of Article 55 shall apply in relation to an adoption order made under a statutory provision at any time before the commencement date as they apply in relation to an adoption order made under this Order.

3. Any register, or index to a register, kept under the Adoption Act (Northern Ireland) 1967, or any register or index deemed to be part of such a register, shall be deemed to be part of the register kept under Article 50.

4.—(1) Article 40—

- (a) does not apply to an existing instrument or statutory provision in so far as it contains a disposition of property, and
- (b) does not apply to any public general Act or Measure in its application to any disposition of property in an existing instrument or statutory provision.

(2) Sections 18 and 19 of the Adoption Act (Northern Ireland) 1967⁽³⁾, and provisions containing references to those sections shall continue to apply in relation to dispositions of property effected by existing instruments notwithstanding the repeal of those sections and such provisions.

(3) Article 46 shall apply in relation to this paragraph as if it were contained in Part V.

5. The reference in Article 58(1) to an order under Article 57 includes an order under section 38 of the Adoption Act (Northern Ireland) 1967.

(1) 1967 c. 35 (N.I.)

(2) 1950 c. 6 (N.I.)

(3) 1967 c. 35 (N.I.)

Status: This is the original version (as it was originally made).

6. The provisions of this Schedule shall have effect without prejudice to sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954⁽⁴⁾.

7. In this Schedule “commencement date” for the purpose of any provision of this Schedule, means the day appointed under Article 1(2) for the coming into operation of that provision.

⁽⁴⁾ 1954 c. 33 (N.I.)