
STATUTORY INSTRUMENTS

1995 No. 755 (N.I. 2)

The Children (Northern Ireland) Order 1995

- - - - 15th March 1995

THE CHILDREN (NORTHERN IRELAND) ORDER 1995

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Status: Point in time view as at 01/04/2024.

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SCHEDULE 1 — FINANCIAL PROVISION FOR CHILDREN

— Interpretation

1. (1) In this Schedule “child” includes, in any case where an application is made under...
 - Orders for financial relief against parents
2. (1) On an application made by a parent or guardian of a child, or by...
 - Orders for financial relief for persons over 18
3. (1) If, on an application by a person who has reached the age of 18,...
 - Duration of orders for financial relief
4. (1) The term to be specified in an order for periodical payments made under paragraph...
 - Matters to which court is to have regard in making orders for financial relief
5. (1) In deciding whether to exercise its powers under paragraph 2 or 3, and if...
 - Provisions relating to lump sums
6. (1) Without prejudice to the generality of paragraph 2, an order under that paragraph for...
 - Variation, etc., of orders for periodical payments
7. (1) In exercising its powers under paragraph 2 or 3 to vary or discharge an...
 - Variation of orders for periodical payments etc. made by court of summary jurisdiction
8. (1) Subject to sub-paragraphs (7) and (8), the power of a court of summary jurisdiction—...
 - Variation of orders for secured periodical payments after death of parent
9. (1) Where the parent liable to make payments under a secured periodical payments order has...
 - Financial relief under other statutory provisions
10. (1) This paragraph applies where a residence order is made with respect to a child...
 - Interim orders
11. (1) Where an application is made under paragraph 2 or 3 the court may, at...
 - Alteration of maintenance agreements
12. (1) In this paragraph and in paragraph 13 “maintenance agreement” means any agreement in writing...
13. (1) Where a maintenance agreement provides for the continuation, after the death of one of...
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 - Jurisdiction ...
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 - Contribution by an authority to child's maintenance
17. (1) Where a child lives, or is to live, with a person as the result...

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SCHEDULE 2 — PROVISION OF SERVICES FOR FAMILIES: SPECIFIC POWERS AND DUTIES

— Identification of children in need

1. Every authority shall take reasonable steps to identify the extent to which there are children...

— Provision of information

2. (1) Every authority shall publish information— (a) about services provided by the authority under Articles...

— Children's services plans

- 2A (1) Every Board shall, on or before 31st March 1999—...

— Maintenance of register of disabled children

3. (1) Every authority shall open and maintain a register of disabled children within the authority's...

— Assessment of children's needs

4. Where it appears to an authority that a child within the authority's area is in...

— Prevention of neglect and abuse

5. (1) Every authority shall take reasonable steps, through the provision of services under Part IV,...

— Provision of accommodation for another person to protect child

6. (1) Where— (a) it appears to an authority that a child who is living on...

— Services for disabled children

7. Every authority shall provide services designed— (a) to minimise the effect on disabled children within...

— Steps to reduce need for care proceedings, etc.

8. Every authority shall take reasonable steps designed— (a) to reduce the need to bring— (i)...

— Provision for children living with their families

9. Every authority shall make such provision as the authority considers appropriate for the following services...

— Family centres

10. (1) Every authority shall provide such family centres as the authority considers appropriate in relation...

— Maintenance of the family home

11. Every authority shall take such steps as are reasonably practicable, where any child within the...

— Duty to consider racial groups to which children in need belong

12. Every authority shall, in making any arrangements— (a) for the provision of day care within...

SCHEDULE 3 — SUPERVISION ORDERS

— Meaning of “responsible person”

1. In this Schedule, “the responsible person”, in relation to a supervised child, means— (a) any...

— Power of supervisor to give directions to supervised child

2. (1) A supervision order may require the supervised child to comply with any directions given...

— Imposition of obligations on responsible person

3. (1) With the consent of any responsible person, a supervision order may include a requirement—...

— Psychiatric and medical examinations

4. (1) A supervision order may require the supervised child— (a) to submit to a medical...

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- Psychiatric and medical treatment
- 5. (1) Where a court which proposes to make or vary a supervision order is satisfied,...
- Life of supervision order
- 6. (1) Subject to sub-paragraph (2) and Article 179 (effect and duration of orders, etc.),...
- Information to be given to supervisor, etc.
- 7. (1) A supervision order may require the supervised child— (a) to keep the supervisor informed...
- Selection of supervisor
- 8. A supervision order shall not designate an authority as the supervisor unless— (a) the authority...
- Effect of supervision order on earlier orders
- 9. The making of a supervision order with respect to any child brings to an end...
- Regulations
- 10. The Department may make regulations with respect to the exercise by an authority of its...

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- Effect of orders
- 2. (1) Where an education supervision order is in force with respect to a child, it...
- 3. (1) Where an education supervision order is in force with respect to a child, the...
- Effect where child also subject to other orders
- 4. (1) This paragraph applies where— (a) an education supervision order; and (b) a supervision order,...
- Duration of orders
- 5. (1) An education supervision order shall have effect for a period of one year, beginning...
- Information to be given to supervisor, etc.
- 6. (1) An education supervision order may require the child— (a) to keep the supervisor informed...
- Discharge of orders
- 7. (1) The court may discharge any education supervision order on the application of— (a) the...
- Offences
- 8. (1) If a parent of a child with respect to whom an education supervision order...
- Persistent failure of child to comply with directions
- 9. (1) Where a child with respect to whom an education supervision order is in force...

SCHEDULE 5 — FOSTER PARENTS: LIMITS ON NUMBER OF FOSTER CHILDREN

- Interpretation
- 1. For the purposes of this Schedule, a person fosters a child if— (a) he is...
- The usual fostering limit

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2. Subject to what follows, a person shall not foster more than three children (“the...
 - Siblings
3. A person may exceed the usual fostering limit if the children concerned are all siblings...
 - Exemption by an authority
4. (1) A person may exceed the usual fostering limit if he is exempted from it...
 - Effects of exceeding fostering limit
5. (1) A person shall cease to be treated for the purposes of this Order and...
 - Complaints, etc.
6. (1) Every authority shall establish a procedure for considering any representations (including any complaint) made...

SCHEDULE 6 — PROPERTY RIGHTS WHERE PARENTS NOT MARRIED TO OR CIVIL PARTNERS OF EACH OTHER

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1. (1) In Part II of the Administration of Estates Act (Northern Ireland) 1955 (which deals...
 - Dispositions of property
 2. (1) In the following dispositions, namely— (a) dispositions inter vivos made after the commencement of...
 - No special protection for trustees and personal representatives
 3. Article 6 of the Family Law Reform (Northern Ireland) Order 1977 (which enables trustees and...
 - Entitlement to grant of probate, etc.
 4. (1) For the purpose of determining the person or persons who would in accordance with...

SCHEDULE 7 — JURISDICTION

- Commencement of proceedings
1. (1) The Lord Chancellor may , after consultation with the Lord Chief Justice, by order...
 - Transfer of proceedings
 2. (1) The Lord Chancellor may , after consultation with the Lord Chief Justice, by order...
 - Emergency protection orders
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 - General
 4. (1) For the purposes of this Schedule— (a) the commencement of proceedings under this Order...

SCHEDULE 8 — Article 184(1). TRANSITIONALS AND SAVINGS Pending proceedings, etc. (1) (1) Subject to sub-paragraphs (2) and... - TRANSITIONALS AND SAVINGS

Pending proceedings, etc.

1. (1) Subject to sub-paragraphs (2) and (5), nothing in any provision of this Order (other...

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2. Where, immediately before the commencement of Part V, there was in force an order under...
— CUSTODY ORDERS, ETC.

Cessation of declarations of unfitness, etc.

3. Where, immediately before the commencement of Parts II and III, there was in force—...

Orders to which paragraphs 5 to 10 apply

4. (1) In paragraphs 5 to 10 “an existing order” means any order which— (a) is...

Parental responsibility of parents

5. (1) Where— (a) a child's father and mother were married to each other at the...

Persons who are not parents but who have custody or care and control

6. (1) Where a person who is not the parent or guardian of a child has...

Persons who have care and control

7. (1) Sub-paragraphs (2) to (6) apply where a person has care and control of a...

Persons who have access

8. (1) Sub-paragraphs (2) to (4) apply where a person has access by virtue of an...

Enforcement of certain existing orders

9. (1) Sub-paragraph (2) applies in relation to any existing order which, but for the repeal...

Discharge of existing orders

10. (1) The making of a residence order or care order with respect to a child...
— CHILDREN IN CARE

Children in compulsory care

11. (1) Sub-paragraph (2) applies where, immediately before the commencement of Part V— (a) a person...

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12. (1) This sub-paragraph applies to a child who has been placed or allowed to remain...

Cessation of wardship where child is in care

13. (1) Where a child who is a ward of court is in the care of...

Children placed with parent, etc., while in compulsory care

14. (1) This paragraph applies where a child is deemed by paragraph 11 to be in...

Children in voluntary care

15. (1) This paragraph applies where, immediately before the commencement of Part IV, a child— (a)...

Boarded out children

16. (1) Where, immediately before the commencement of Part IV, a child in the care of...

Children in care to qualify for advice and assistance

17. Any reference in Part IV to a person qualifying for advice and assistance shall be...

Emigration of children in care

18. Where the Head of the Department is considering whether to give his consent under section...

Contributions for maintenance of children in care

19. (1) Where, immediately before the commencement of Part IV, there was in force an order...

Supervision ordersOrders under the 1968 Act

20. (1) This paragraph applies to any supervision order made under the Children and Young Persons...
21. (1) This paragraph applies to any supervision order made under the Children and Young Persons...

Other supervision orders

22. (1) This paragraph applies to any order for the supervision of a child which was...

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Place of safety orders

23. (1) This paragraph applies to— (a) any order or warrant authorising the taking or removal...

Voluntary homes

24. (1) This paragraph applies to a voluntary home which is registered in the register kept...

Foster children

25. (1) This paragraph applies where— (a) immediately before the commencement of Part IX, a person...

Child minders

26. (1) Sub-paragraph (2) applies where, immediately before the commencement of Part XI, any premises are...

Guardians

Existing guardians to be guardians under this Order

27. (1) Any appointment of a person as guardian for a child which— (a) was made—...

Appointment of guardian not yet in effect

28. Any appointment of a person to be a guardian of a child— (a) which was...

Children accommodated in certain establishments

29. In calculating, for the purposes of Article 174(1)(a) or (2)(a) or Article 175(1)(a) or 177(1)(a)...

Training school orders

30. (1) This paragraph applies where, immediately before the commencement of Part V, a person was...

MiscellaneousMarriage consents

31. (1) In the circumstances mentioned in sub-paragraph (2), section 1 of, and the Schedule to,...

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Affiliation orders, etc.

32. (1) This paragraph applies to the following orders— (a) any affiliation order in force immediately...

Property rights where parents not married to each other

33. (1) In this paragraph “the 1977 Order” means the Family Law Reform (Northern Ireland) Order...

Attendance of child before court

34. Section 170 of the Children and Young Persons Act (Northern Ireland) 1968 (power to enforce...

Saving for certain amendments of 1968 Act

36. Notwithstanding the repeal by this Order of Part I of Schedule 16 to the Health...

— Schedule 9—Amendments

— Schedule 10—Repeals

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