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STATUTORY INSTRUMENTS

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**1996 No. 1919**

**The Employment Rights (Northern Ireland) Order 1996**

[<sup>F1</sup>PART IX

[<sup>F2</sup>CHAPTER III

PATERNITY LEAVE

[<sup>F1</sup>][<sup>F2</sup>][<sup>F3</sup>Entitlement to paternity leave: prospective adopters with whom looked after children are placed

**112BA.**—(1) Regulations made under Article 112B(1) are to include provision for leave in respect of a child who is looked after by an authority and who is to be, or is expected to be, placed by the authority under Article 27(2)(a) of the Children (Northern Ireland) Order 1995, in the circumstances mentioned in paragraph (2), with an approved foster parent who is also an approved prospective adopter.

(2) The circumstances are that—

(a) the authority—

(i) is considering adoption for the child, or

(ii) has decided by virtue of regulation 11 of the Adoption Agencies Regulations (Northern Ireland) 1989 that it is satisfied that adoption is in the best interests of the child, and

(b) such conditions as may be specified are satisfied.

(3) Regulations made under Article 112B(1) are to provide for Article 112B to have effect, in relation to provision made by virtue of paragraph (1), as if—

(a) references to a child being placed for adoption or placement for adoption were such references as may be specified,

(b) in paragraph (5), sub-paragraph (aa) were omitted.

(4) In this Article, “approved foster parent”, “approved prospective adopter”, “authority” and “child who is looked after by an authority” have the same meaning as in Article 107AB.]]]

**F1** 1999 NI 9

**F2** 2002 NI 2

**F3** Art. 112BA inserted (15.3.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\), ss. 8\(5\), 23\(1\)](#); S.R. 2015/86, art. 3(1)(f)

**Changes to legislation:**

The Employment Rights (Northern Ireland) Order 1996, Section 112BA is up to date with all changes known to be in force on or before 24 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- art. 112BA(1) words repealed by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(2\)\(a\)Sch. 5](#)
- art. 112BA(1) words repealed by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(2\)\(d\)Sch. 5](#)
- art. 112BA(1) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(2\)\(b\)](#)
- art. 112BA(1) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(2\)\(c\)](#)
- art. 112BA(1) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(2\)\(e\)](#)
- art. 112BA(2) repealed by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(3\)Sch. 5](#)
- art. 112BA(3) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(4\)](#)
- art. 112BA(4) words repealed by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(5\)\(b\)Sch. 5](#)
- art. 112BA(4) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 50\(5\)\(a\)](#)

**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):

- Pt. 7A inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 1](#)
- Ch. 5 inserted by [2022 c. 27 \(N.I.\) s. 1\(1\)](#)
- art. 21(4B) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 2](#)
- art. 23(1)(zza) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 3](#)
- art. 70F inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 4](#)
- art. 70G inserted by [2020 c. 7 Sch. 7 para. 20](#)
- art. 71(1C) inserted by [2020 c. 7 Sch. 7 para. 21\(a\)](#)
- art. 72(8) inserted by [2020 c. 7 Sch. 7 para. 22\(b\)](#)
- art. 85ZS(3)(a)-(c) substituted for words by [2022 c. 18 \(N.I.\) Sch. 3 para. 47\(4\)](#)
- art. 95F(5A) inserted by [2016 c. 15 \(N.I.\) Sch. 2 para. 32](#)
- art. 135E inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 6](#)
- art. 135G inserted by [2020 c. 7 Sch. 7 para. 25](#)
- art. 137(6D) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 7](#)
- art. 137(7N) inserted by [2020 c. 7 Sch. 7 para. 26\(b\)](#)
- art. 140(3)(fj) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 8](#)
- art. 140(3)(fl) inserted by [2020 c. 7 Sch. 7 para. 27](#)
- art. 143(2)(ddd) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 9](#)
- art. 144(2)(ddd) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 10](#)