

**2015 No. 213**

**EMPLOYMENT**

**WORK AND FAMILIES**

**The Time Off to Attend Adoption Appointments (Prospective Adopters) Regulations (Northern Ireland) 2015**

*Made* - - - - *3rd April 2015*

*Coming into operation* - *5th April 2015*

The Department for Employment and Learning makes the following Regulations in exercise of the powers conferred by Article 85ZS(2)(b) and (3) of the Employment Rights (Northern Ireland) Order 1996(a).

**Citation and Commencement**

1. These Regulations may be cited as the Time Off to Attend Adoption Appointments (Prospective Adopters) Regulations (Northern Ireland) 2015 and come into operation on 5th April 2015.

**Specified condition for entitlement**

2. The condition specified for the purposes of Article 85ZS(2)(b) of the Employment Rights (Northern Ireland) Order 1996 is that the authority is considering whether the person would be a suitable adoptive parent for the child.

**References to “adoption” etc.**

3. Where Article 85ZS(3) of the Employment Rights (Northern Ireland) Order 1996 applies, Articles 85ZJ, 85ZL, 85ZN and 85ZP of that Order have effect as if—

- (a) references to adoption or placement for adoption were references to the placement of the child with a person who is an approved foster parent and an approved prospective adopter where the authority—
  - (i) is considering adoption for the child; or
  - (ii) is satisfied that adoption is in the best interests of the child, and is considering whether that person would be a suitable adoptive parent for that child;
- (b) references to placing for adoption were references to placing with a person who is an approved foster parent and an approved prospective adopter where the authority—

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(a) S.I. 1996/1919 (N.I. 16). Article 85ZS was inserted by the Work and Families Act (Northern Ireland) 2015 (c. 1 (N.I.)), section 17(2).

- (i) is considering adoption for the child; or
- (ii) is satisfied that adoption is in the best interests of the child,  
and is considering whether that person would be a suitable adoptive parent for that child;
- (c) references to an adoption agency were references to an authority.

Sealed with the Official Seal of the Department for Employment and Learning on 3rd April 2015.



*Heather Cousins*  
A senior officer of the Department for Employment and Learning

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations extend the right to time off to attend adoption appointments in Articles 85ZJ, 85ZL, 85ZN or 85ZP of the Employment Rights (Northern Ireland) Order 1996 (“the 1996 Order”) to approved foster parents who are also approved prospective adopters of a child in certain circumstances.

In order to do so, regulation 2 defines a specified condition for entitlement for the purposes of Article 85ZS(2)(b) of the 1996 Order. Other conditions of entitlement are defined within Article 85ZS itself.

Regulation 3 treats certain references in Articles 85ZJ, 85ZL, 85ZN and 85ZP as references appropriate to situations where a child is fostered with a view to being adopted. The effect is to apply rights to paid and unpaid time off work for adoption appointments to members of this group, once in receipt of appropriate notification.

An impact assessment has not been prepared for these Regulations. These Regulations are part of a package of legislative measures and the relevant impacts were assessed within the document ‘Sharing parental rights, extending flexibility at work – public consultation’, published in May 2013 ([www.delni.gov.uk/index/consultation-zone/archived-consultations/archived-consultations-2013/working-parents-rights.htm](http://www.delni.gov.uk/index/consultation-zone/archived-consultations/archived-consultations-2013/working-parents-rights.htm)), and supplemented by a further publication in April 2014 ([www.delni.gov.uk/index/publications/equality-good-relations/shared-parental-leave-and-pay.htm](http://www.delni.gov.uk/index/publications/equality-good-relations/shared-parental-leave-and-pay.htm)).

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STATUTORY RULES OF NORTHERN IRELAND

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