
DRAFT STATUTORY INSTRUMENTS

2018 No. 0000

HUMAN FERTILISATION AND EMBRYOLOGY

The Human Fertilisation and Embryology
(Parental Orders) Regulations 2018

Made - - - - - *******

Coming into force in accordance with regulation 1

THE HUMAN FERTILISATION AND EMBRYOLOGY
(PARENTAL ORDERS) REGULATIONS 2018

1. Citation, commencement, extent and interpretation
 2. Application of certain provisions of the 2002 Act subject to modifications
 3. Application of certain provisions of the 2007 Act subject to modifications
 4. Application of certain provisions of the 1987 Order subject to modifications
 5. References in enactments to be read as references to parental orders etc
 6. Revocation and savings
- Signature

SCHEDULE 1 — Application and modification of the 2002 Act in respect of parental orders and applications for such orders

1. The provisions of the 2002 Act set out in the...
2. Section 1 (considerations applying to the exercise of powers) is...
3. Section 2(5) has effect in respect of a parental order...
4. (1) Section 36(1), (4), (6) and (7) (restrictions on removal)...
5. Section 37 (applicants for adoption) has effect in respect of...
6. (1) Section 41 (recovery orders) is modified as follows.
7. (1) Section 46(1) to (4) (adoption orders) is modified as...
8. (1) Section 48 (restrictions on making adoption orders) is modified...
9. (1) Section 60(1) and (4) (disclosing information to adopted child)...
10. Section 64(1) (other provisions to be made by regulations) has...
11. Section 65 (sections 56 to 65: interpretation) has effect as...
12. Section 67 has effect as if there were substituted— Status...
13. Section 68(3) (adoptive relatives) has effect as if it applies...
14. (1) Section 69 (rules of interpretation for instruments concerning property)...

15. Section 71 (property devolving with peerages etc) has effect as...
16. Section 73 (meaning of disposition) has effect as if in...
17. Section 74 (miscellaneous enactments) has effect as if—
18. Section 75 (pensions) has effect as if for “person’s adoption”...
19. Section 76(1) (insurance) has effect as if—
20. (1) Section 77 (adopted children register) is modified as follows....
21. Section 78 has effect as if— (a) for the words...
22. (1) Section 79(1) to (3) and (7) to (9) (connections...
23. Section 82 (interpretation) has effect in respect of parental orders...
24. (1) Section 83(1), (5) and (7) to (9) (restriction on...
25. Section 101(1) (privacy) has effect as if after “this Act”...
26. (1) Section 102(1) to (4) and (6) to (8) (officers...
27. (1) Section 104(1) (evidence of consent) has effect as if...
28. (1) Section 105(3) and (4) (effect of certain Scottish orders...
29. (1) Section 106(3) and (4) (effect of certain Northern Irish...
30. (1) Section 107 (use of adoption records from other parts...
31. (1) Section 140(1), (2) and (7) to (9) (orders, rules...
32. (1) Section 141 (rules of procedure) is modified as follows....
33. (1) Section 144(1) and (2) (general interpretation) has effect as...
34. (1) Paragraph 1 of Schedule 1 (registrations of adoption orders)...
35. (1) Paragraph 2 of Schedule 1 (registration of adoptions in...
36. (1) Paragraph 4 of Schedule 1 (amendment of orders and...

SCHEDULE 2 — Application and modification of the 2007 Act in relation to parental orders and applications for such orders

1. The provisions of the 2007 Act set out in the...
2. Section 14(1) to (4) and (8) (considerations applying to the...
3. Section 22 (restrictions on removal: application for adoption order pending)...
4. Section 24 (return of child removed in breach of certain...
5. Section 27(1) (contravention of sections 30 to 36 of 2002...
6. (1) Section 28 (adoption orders) is modified as follows.
7. Section 33(1) and (2) (restrictions on making orders) has effect...
8. Section 35 (effect of order on existing rights etc.) has...
9. Section 40(1) to (3), (5) and (10) (status conferred by...
10. Section 41 (miscellaneous enactments) has effect as if—
11. Section 42 (pensions) has effect as if—
12. Section 43(1) to (3) (insurance) has effect as if—
13. Section 53 (Adopted Children Register and index) has effect as...
14. Section 54 (searches and extracts) has effect as if for...
15. Section 55(1) to (5) (connections between the register and birth...
16. Section 56 (admissibility of extracts as evidence) has effect as...
17. Section 57 (interpretation of chapter 5) has effect as if—...
18. (1) Section 58(1), (2) and (10) (restriction on bringing children...
19. Section 77(1) (effect of certain orders made in England and...
20. Section 108(1) and (2) (Rules: appointment of curators ad litem...
21. Section 109(1) (proceedings to be in private) has effect as...
22. Section 111 (evidence of consent) has effect as if in...
23. Section 113 (admissibility of certain documents as evidence) has effect...
24. Section 114 (rules of procedure) has effect as if—
25. Section 117 (orders and regulations) has effect as if—
26. Section 118 (meaning of “appropriate court”) has effect as if—...
27. Section 119(1) (interpretation) has effect as if—

28. Paragraphs 1, 2 and 4 of Schedule 1 (registration of...
29. Paragraph 5 of Schedule 1 (registration of adoptions in other...
30. Paragraph 7 of Schedule 1 (amendment of orders and rectification...
31. Paragraph 8 of Schedule 1 (marking of entries on re-registration...

SCHEDULE 3 — Application and modification of the 1987 Order in respect of parental orders and applications for such orders

1. The provisions of the 1987 Order set out in the...
2. (1) Article 2 (interpretation) is modified as follows.
3. Article 9 (duty to promote the welfare of the child)...
4. (1) Article 12(1) to (4) (adoption orders) is modified as...
5. Article 25 (restrictions on making adoption orders) has effect as...
6. Article 28(1) and (3) (restrictions on removal where adoption agreed...
7. (1) Article 30 (return of a child taken away in...
8. Article 40(1), (2), (3), (4) and (6) (status conferred by...
9. Article 42 (rules of construction for instruments concerning property) has...
10. Article 44 (property devolving with peerages, etc.) has effect as...
11. Article 45 (protection of trustees and personal representatives) has effect...
12. Article 46 (meaning of “disposition”) has effect as if for...
13. Article 47(1) and (2) (miscellaneous) has effect as if—
14. Article 48 (pensions) has effect as if—
15. Article 49 (insurance) has effect as if—
16. Article 50 (adopted children register) has effect as if—
17. Article 51(1), (2) (3), (4), (6) and (7) (registration of...
18. Article 52(1) to (4) and (6) (amendment of orders and...
19. Article 53(1) and (2) (registration of adoptions made outside Northern...
20. (1) Article 54(1), (2), (3), (4) and (5) (disclosure of...
21. Article 62 (evidence of agreement and consent) has effect as...
22. Article 63(1) and (2) (evidence of adoptions, etc.) has effect...
23. Article 64(3)(removal of proceedings and appeals) has effect as if...
24. Article 65 (proceedings to be in private) has effect as...
25. Article 66 (guardians ad litem) has effect as if—
26. Article 68 (regulations) has effect as if after “this Order”...
27. Schedule 2 (form of entry in Adopted Children Register) has...

SCHEDULE 4 — References to adoption etc in enactments to be read as references to effect of parental order etc

1. Marriage Act 1949
2. Succession (Scotland) Act 1964
3. Registration of Births, Deaths and Marriages (Scotland) Act 1965
4. In section 43(1) of the Registration of Births, Deaths and...
5. Births and Deaths Registration (Northern Ireland) Order 1976
6. Marriage (Scotland) Act 1977
7. Adoption (Scotland) Act 1978
8. In section 41(1) of the Adoption (Scotland) Act 1978 (miscellaneous...
9. In section 44 of the Adoption (Scotland) Act 1978 (effect...
10. British Nationality Act 1981
11. Senior Courts Act 1981
12. Foster Children (Scotland) Act 1984
13. Child Abduction and Custody Act 1985
14. Family Law Act 1986
15. Children Act 1989
16. Human Fertilisation and Embryology Act 1990

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Human Fertilisation and Embryology (Parental Orders) Regulations 2018 No. 1412*

17. Judicial Pensions and Retirement Act 1993
18. Civil Evidence (Family Mediation) (Scotland) Act 1995
19. Children (Northern Ireland) Order 1995
20. Sexual Offences Act 2003
21. Civil Partnership Act 2004
22. Modification of the Local Electoral Administration and Registration Services (Scotland) Act 2006
23. Human Fertilisation and Embryology Act 2008

Explanatory Note