

**Status:** Point in time view as at 21/12/2018.

**Changes to legislation:** The Human Fertilisation and Embryology (Parental Orders) Regulations 2018, SCHEDULE 3 is up to date with all changes known to be in force on or before 05 September 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. (See end of Document for details)

## SCHEDULE 3

Regulation 4

### 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 following paragraphs have effect in relation to parental orders and applications for parental orders subject to the modifications set out in those paragraphs.

#### Commencement Information

**II** Sch. 3 para. 1 in force at 21.12.2018, see [reg. 1\(1\)](#)

- 2.—(1) Article 2(1) (interpretation) is modified as follows.
- (2) Paragraph (1) has effect as if the words “Article 1 and” were omitted.
- (3) Paragraph (2) has effect as if—
- (a) before “adoption agency” there were inserted—  
““the 2008 Act” means the Human Fertilisation and Embryology Act 2008;”;
  - (b) for the definition of “adoption rules” there were substituted—  
““rules” means rules of court, county court rules or rules made under Article 12 of the Family Law (Northern Ireland) Order 1993(2);”
  - (c) for the definition of “authorised court” there were substituted—  
““authorised court” means—
    - (a) in the case of an application for a parental order—
      - (i) the High Court;
      - (ii) the county court;
    - (b) in the case of an application under Article 30 (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations) the court in which that application is pending;”;
  - (d) for the definition of “existing” there were substituted—  
““existing” in relation to an instrument, means one made at any time before the commencement of Part V;”;
  - (e) for the definition of “parent” there were substituted—  
““parent”, except for the purposes of Articles 40(3) and 47(1) (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations), means, in relation to a child, any parent who has parental responsibility for the child under the Children (Northern Ireland) Order 1995(3);”;
  - (f) after the definition of “parent” there were inserted—  
““the Parental Order Regulations” means the Human Fertilisation and Embryology (Parental Orders) Regulations 2018;

(1) Article 2 was amended by section 6 of the Adoption (Intercountry Aspects) Act (Northern Ireland) 2011 (c. 11), paragraph 138 of Schedule 9 to S.I. 1995/755 and paragraph 11 of Schedule 1(2) to S.I. 2011/1740. Other amendments have been made which are not relevant to this instrument.

(2) 1993 No. 1576 (N.I. 6).

(3) S. I. 1995/755. (N.I. 2).

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“parental orders” means either an order under section 54 (parental orders) or section 54A (parental orders: one applicant) of the 2008 Act;”;

- (g) for the definition of “parental responsibility” there were substituted ““parental responsibility” has the same meaning as in the Children (Northern Ireland) Order 1995 (as applied with modifications by regulation 5 of and Schedule 4 to the Parental Order Regulations);”;
- (h) for the definition of “prescribed” there were substituted ““prescribed” in Article 54 (as applied with modifications by the Parental Order Regulations) means prescribed by regulations made by the Department of Finance and elsewhere means prescribed by rules;”.

### Commencement Information

**I2** Sch. 3 para. 2 in force at 21.12.2018, see [reg. 1\(1\)](#)

3. Article 9 (duty to promote the welfare of the child) has effect as if—
- (a) the existing Article was numbered as paragraph (1);
  - (b) for “the adoption of a child” there were substituted “the making of a parental order in respect of a child”;
  - (c) the words “or adoption agency” were omitted;
  - (d) for “most important” there were substituted “paramount”;
  - (e) in paragraph (a)(i) for “adoption, or adoption by a particular person or persons,” there were substituted “the making of such an order”;
  - (f) the word “and” immediately after paragraph (a) were omitted; and
  - (g) after paragraph (b) there were inserted—
    - “(c) have regard to the child’s particular needs;
    - (d) have regard to the likely effect on the child (throughout his life) of having ceased to be a member of the original family and become the subject of a parental order;
    - (e) have regard to the child’s age, sex, background and any of the child’s characteristics which the court considers relevant;
    - (f) have regard to any harm (within the meaning of the Children (Northern Ireland) Order 1995) which the child has suffered or is at risk of suffering; and
    - (g) have regard to the relationship which the child has with relatives, and with any other person in relation to whom the court considers the relationship to be relevant.
- (2) The court must always consider the whole range of powers available to it in the child’s case whether—
- (a) under section 54 or 54A of the 2008 Act;
  - (b) under this Order (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations); or
  - (c) the Children (Northern Ireland) Order 1995,
- and the court must not make an order under section 54 or section 54A of the 2008 Act, as the case may be, or under this Order as so applied, unless it considers that making the order would be better for the child than not doing so.

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(3) For the purposes of this Article (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)—

- (a) a reference to relationships is not confined to legal relationships; and
- (b) a reference to a relative, in relation to a child, includes the child’s mother and father.”.

**Commencement Information**

**I3** Sch. 3 para. 3 in force at 21.12.2018, see [reg. 1\(1\)](#)

4.—(1) Article 12(1) to (4) (4) (adoption orders) is modified as follows.

(2) Paragraph (1) to (4) has effect as if, for the words “an adoption order” in each place they appear, there were substituted “a parental order”.

(3) Paragraph (1) has effect as if, for the words from “the adopters” to “application of the adopters”, there were substituted—

“the persons who obtained the order in the case of a parental order under section 54 of the 2008 Act or the person who obtained the order in the case of a parental order under section 54A of the 2008 Act”.

**Commencement Information**

**I4** Sch. 3 para. 4 in force at 21.12.2018, see [reg. 1\(1\)](#)

5. Article 25(5) (restrictions on making adoption orders) has effect as if—

- (a) in paragraph (1)—
  - (i) for “an adoption order” there were substituted “a parental order”;
  - (ii) for “a British adoption order” there were substituted “such an order”; and
  - (iii) before “persons” there were inserted “person or”;
- (b) paragraphs (2) and (3) were omitted.

**Commencement Information**

**I5** Sch. 3 para. 5 in force at 21.12.2018, see [reg. 1\(1\)](#)

6. Article 28(1) and (3)(6) (restrictions on removal where adoption agreed or application made under Article 17(1) or 18(1)) has effect as if—

- (a) for paragraph (1) there were substituted the following paragraph—

“(1) While an application for a parental order is pending a parent or guardian of the child to whom the application relates is not entitled, against the will of the person with whom the child has their home, to remove the child from the home of that person except with the leave of the court.”; and
- (b) in paragraph (3) for “or (2)” there were substituted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

(4) Article 12 was amended by section 203 of the Civil Partnership Act 2004 and paragraph 140 of Schedule 9 to [S.I. 1995/755](#).

(5) Article 25 has been amended, but those amendments are not relevant to this instrument.

(6) Article 28 has been amended, but those amendments are not relevant to this instrument.

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### Commencement Information

**I6** Sch. 3 para. 6 in force at 21.12.2018, see [reg. 1\(1\)](#)

- 7.—(1) Article 30(7) (return of a child taken away in breach of Article 28 or 29) has effect as if—
- for the words “Article 28 or 29” in each place they appear there were substituted “Article 28 (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - for the words “section 27 or 28 of the Adoption Act 1976” in each place they appear there were substituted “section 36 or 37 of the Adoption and Children Act 2002 (as applied with modifications by regulation 2 of and Schedule 1 to the Parental Order Regulations)”;
  - for the words “section 20, 21 or 22 of the Adoption and Children (Scotland) Act 2007”, in each place they appear, there were substituted “section 22 of the Adoption and Children (Scotland) Act 2007 (as applied with modifications by regulation 3 of and Schedule 2 to the Parental Order Regulations)”;
  - in paragraphs (3) and (4) after the words “under paragraph (1)”, in each place they appear, there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”; and
  - in paragraph (5) after the words “under paragraph (3)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

### Commencement Information

**I7** Sch. 3 para. 7 in force at 21.12.2018, see [reg. 1\(1\)](#)

8. Article 40(1), (2), (3), (4) and (6)(8) (status conferred by adoption) has effect as if—
- for the words “an adopted child” in each place they appear there were substituted “a child who is the subject of a parental order”;
  - in paragraph (1), for sub-paragraphs (a) and (b), there were substituted—  
“as if he had been born as a child of the persons who obtained the parental order under section 54 of the 2008 Act or the person who obtained the parental order under section 54A of that Act”; and
  - for paragraph (2) there were substituted—  
“(2) A child who is the subject of a parental order shall be treated in law as if that child were not the child of any person other than the persons who obtained the parental order under section 54 of the 2008 Act or the person who obtained the parental order under section 54A of that Act.”;
  - for paragraph (3) there were substituted—  
“Paragraph (2) (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations) does not apply so as to prevent a child who is the subject of a parental order from continuing to be treated as the child of a person who was in law the child’s parent before the order was made for the purposes of the Table in Article 18(1) of

(7) Article 30 was amended by paragraph 153 of Schedule 9 to [S.I. 1995/755](#) and paragraph 11 of Schedule 1 to [S.I. 2011/1740](#).

(8) Article 40 was amended by section 4 of the Adoption (Intercountry Aspects) Act (Northern Ireland) 2001 (c. 11) and section 203 of the Civil Partnership Act 2004.

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the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984<sup>(9)</sup> or for the purposes of Schedule 12 to the Civil Partnerships Act 2004<sup>(10)</sup>

- (e) in paragraph (6)—
  - (i) in each place that the word “adoption” appears, there were substituted “parental order was made”;
  - (ii) after “Article” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations); and
  - (iii) the words “Subject to the provisions of this Part” and “, or after the commencement of this Part, whichever is the later” were omitted.

#### Commencement Information

**18** Sch. 3 para. 8 in force at 21.12.2018, see [reg. 1\(1\)](#)

9. Article 42 (rules of construction for instruments concerning property) has effect as if—
- (a) in paragraph (1) after “this Article” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - (b) for paragraph (2) there were substituted—
    - “(2) In applying Article 40(1) (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations) to a disposition which depends on the date of birth of a child or children of the person or persons who obtained the parental order, the distribution shall be construed as if—
    - (a) the child who is the subject of the parental order had been born on the date the parental order was made,
    - (b) two or more children in respect of whom parental orders were made on the same date had been born on that date in the order of their actual births.”;
  - (c) in paragraph (3), after “paragraph (2)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - (d) in paragraph (4)—
    - (i) after “Article 40(2)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
    - (ii) for “adopted child” there were substituted “child who is the subject of the parental order”; and
    - (iii) for “adoption” there were substituted “making of the parental order”; and
  - (e) in paragraph (5)—
    - (i) for “adopt” there were substituted “obtain a parental order in respect of”; and
    - (ii) after “Article 40” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

#### Commencement Information

**19** Sch. 3 para. 9 in force at 21.12.2018, see [reg. 1\(1\)](#)

<sup>(9)</sup> S.I. 1984 No. 1984 NI 14. The table was amended by paragraph 64 of Schedule 29 to the Civil Partnership Act 2004 and article 3 of the Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006 (S.I. 2006 No. 1945 NI 14).

<sup>(10)</sup> Schedule 12 was amended by the Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006.

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10. Article 44 (property devolving with peerages, etc.) has effect as if—
- (a) for the words “An adoption” in each place they appear there were substituted “The making of a parental order”; and
  - (b) in paragraph (3), after “paragraph (2)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

**Commencement Information**

**I10** Sch. 3 para. 10 in force at 21.12.2018, see [reg. 1\(1\)](#)

11. Article 45 (protection of trustees and personal representatives) has effect as if—
- (a) in paragraph (1) for “adoption has been effected” there were substituted “parental order has been made”; and
  - (b) in paragraph (2) after “This Article” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

**Commencement Information**

**I11** Sch. 3 para. 11 in force at 21.12.2018, see [reg. 1\(1\)](#)

12. Article 46 (meaning of “disposition”) has effect as if for the words “this Part” each time they appear there were substituted “the application of Articles 40, 42, 44, 45 and 47 (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

**Commencement Information**

**I12** Sch. 3 para. 12 in force at 21.12.2018, see [reg. 1\(1\)](#)

13. Article 47(1) and (2)(**11**) (miscellaneous) has effect as if—
- (a) in paragraph (1) after “Article 40” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - (b) in paragraph (2) after “Article 40” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

**Commencement Information**

**I13** Sch. 3 para. 13 in force at 21.12.2018, see [reg. 1\(1\)](#)

14. Article 48 (pensions) has effect as if—
- (a) after “Article 40(2)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - (b) for the words “of his adoption”, there were substituted “of the making of the parental order in respect of that child”.

(11) Article 47 was amended by paragraph 19 of Schedule 1 to [S.I. 2008/1769](#).

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#### Commencement Information

**I14** Sch. 3 para. 14 in force at 21.12.2018, see [reg. 1\(1\)](#)

**15.** Article 49 (insurance) has effect as if—

- (a) for the word “adopted” there were substituted “the subject of the parental order”;
- (b) for the word “adoption” there were substituted “making of the parental order”; and
- (c) for the words “adoptive parents” there were substituted “parental order parent or parents”.

#### Commencement Information

**I15** Sch. 3 para. 15 in force at 21.12.2018, see [reg. 1\(1\)](#)

**16.** Article 50(12) (adopted children register) has effect as if—

- (a) for the words “Adopted Children Register” in each place they appear there were substituted “Parental Order Register”;
- (b) in paragraph (1)(a)(i) for “adoption orders” there were substituted “parental orders”;
- (c) in paragraph (1)(a)(ii) after “Article 53” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
- (d) in paragraph(1)(c) for ““Adopted” pursuant to Article 51” there were substituted ““Re-registered by the Registrar General” pursuant to Article 51(4) (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
- (e) in paragraph (2) for the words from “Every person shall” to “subject to the same terms” there were substituted—  
“The Registrar General shall—
  - (a) at the request of any person, either permit the person to search the index of the Parental Order Register or cause a search of the index to be made on that person’s behalf; and
  - (b) issue to any person on request a certified copy of any entry in the Parental Order Register,in all respects, except as to the entitlement of any person to search that index, upon and subject to the same terms.”;
- (f) in paragraph (2) after “Births and Deaths Registration (Northern Ireland) Order 1976” insert “(read in accordance with Schedule 4 of the Parental Orders Regulations)”;
- (g) in paragraph (3)—
  - (i) after “paragraph (1)(c) there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - (ii) after “Article 54” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - (iii) in sub-paragraph (b) for “an adoption order” there were substituted “a parental order”; and
  - (iv) sub-paragraph (c) were omitted.

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(12) Article 50 was amended by section 10 of the Adoption (Intercountry Aspects) Act (Northern Ireland) 2011 and section 25 of the Civil Registration Act (Northern Ireland) 2011 (c. 20).

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#### Commencement Information

**I16** Sch. 3 para. 16 in force at 21.12.2018, see [reg. 1\(1\)](#)

**17.** Article 51(1), (2) (3), (4), (6) and (7) (registration of adoption orders) has effect as if—

(a) for paragraph (1) there were substituted—

“(1) Every parental order shall contain a direction to the Registrar General to make in the Parental Order Register an entry in the form set out in Schedule 2 (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations) and shall specify the particulars to be entered in columns 2 to 6 of that Schedule.”;

(b) in paragraph (2)—

(i) in sub-paragraph (b) for the words “Adopted Children Register” there were substituted “Parental Orders Register”; and

(ii) in sub-paragraph (c) for the words “adoption order” there were substituted “parental order”;

(c) in paragraph (3)—

(i) for “Adopted Children Register under the heading in column 2 of Schedule 2” there were substituted “Parental Order Register under the heading in column 2 of Schedule 2 (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;

(ii) the word “and” at the end sub-paragraph (a) were omitted; and

(iii) sub-paragraph (b) were omitted;

(d) in paragraph (4)—

(i) for “application for an adoption order” to “time in force)” there were substituted “application for a parental order”;

(ii) for the words “any adoption order”, in each place it appears, there were substituted “any parental order”;

(iii) for “marked with the word “Adopted”” there were substituted “marked with the words “Re-registered by the Registrar General””;

(e) in paragraph (6) for “an adoption order shall cause the adoption order” there were substituted “a parental order shall cause the order”; and

(f) in paragraph (7)—

(i) for the words “an adoption order” in each place they appear there were substituted “a parental order”;

(ii) after “paragraph (6)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;

(iii) for “has been granted” there were substituted “has been made”; and

(iv) the words “or the country in which the child was previously adopted” and the words from “or the Adopted Children Register” to “the case may be,” were omitted.

#### Commencement Information

**I17** Sch. 3 para. 17 in force at 21.12.2018, see [reg. 1\(1\)](#)

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**18.** Article 52(1) to (4) and (6) (amendment of orders and rectification of Registers) has effect as if—

- (a) for the words “an adoption order” in each place they appear there were substituted “a parental order”;
- (b) for the words “Adopted Children Register” in each place they appear, except in paragraph (6), there were substituted “Parental Order Register”;
- (c) in paragraph (1)—
  - (i) for the words “adopter or of the adopted person” in each place they appear there were substituted “person or persons who obtained the parental order or of the person who is the subject of the parental order”;
  - (ii) in sub-paragraph (a) for “given to the adopted person” there were substituted “given to the person who is subject to the parental order” and the words “, or taken by him,” were omitted; and
  - (iii) in sub-paragraph (b) for “Article 51(4) or (5)” there were substituted “Article 51(4) (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
- (d) in paragraph (2) after “paragraph (1)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
- (e) in paragraph (4) after “Article 50(2)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
- (f) in paragraph (6)—
  - (i) after “Article 51(7)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;
  - (ii) the words “or an Adopted Children Register or any corresponding register of adoptions” were omitted.

#### **Commencement Information**

**I18** Sch. 3 para. 18 in force at 21.12.2018, see [reg. 1\(1\)](#)

**19.** Article 53(1) and (2) (registration of adoptions made outside Northern Ireland) has effect as if—

- (a) in paragraph (1)—
  - (i) for “register of adoptions” there were substituted “register of parental orders”;
  - (ii) for “an order has been made in that country authorising the adoption of a child” there were substituted “a parental order has been made in that country in respect of a child”;
  - (iii) the words “or the Adopted Children Register” were omitted; and
  - (iv) for ““Adopted” or “Readopted” as the case may require” there were substituted “Re-registered”;
- (b) in paragraph (2)—
  - (i) for “so marked” there were substituted “marked in accordance with paragraph (1) (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”;

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- (ii) for “, that an appeal against the order has been allowed or that the order has been revoked” there were substituted “or that an appeal against the order has been allowed”.

#### Commencement Information

**I19** Sch. 3 para. 19 in force at 21.12.2018, see [reg. 1\(1\)](#)

**20.**—(1) Article 54(13)(1), (2), (3), (4) and (5) (disclosure of birth records of adopted children) has effect as if—

- (a) in paragraph (1)—
- (i) after “this Article” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”; and
  - (ii) for “an adopted person” there were substituted “a person who is the subject of a parental order”;
- (b) in paragraph (2) for “an adopted person under the age of 18 years” there were substituted “a person who is the subject of a parental order and who is under the age of 18 years”;
- (c) in paragraph (3)—
- (i) for the word “adoption” in each place it appears there were substituted “parental order”; and
  - (ii) sub-paragraph (e) were omitted;
- (d) in paragraph (4)—
- (i) for “an adopted person” there were substituted “a person who is the subject of a parental order”;
  - (ii) in sub-paragraph (a)(i) after “paragraph (1)” there were inserted “(as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”; and
  - (iii) in sub-paragraph (a)(ii) for “section 51 of the Adoption Act 1976” there were substituted “section 79 of the Adoption and Children Act 2002 (as applied with modifications by regulation 2 of and Schedule 1 to the Parental Order Regulations)”; and
- (e) in paragraph (5)—
- (i) in sub-paragraph (a) the word “and” at the end were omitted; and
  - (ii) sub-paragraph (b) were omitted.

#### Commencement Information

**I20** Sch. 3 para. 20 in force at 21.12.2018, see [reg. 1\(1\)](#)

**21.** Article 62 (evidence of agreement and consent) has effect as if—

- (a) the word “adoption”, in each place it appears, were omitted; and
- (b) in paragraph (1), for “this Order” there were substituted “section 54 or section 54A of the 2008 Act (as the case may be)”.

(13) Article 54 was amended by section 203 of the Civil Partnerships Act 2004 and paragraph 11 of Schedule 1 to [S.I. 2011/1740](#). Other amendments have been made which are not relevant to this instrument.

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**Commencement Information**

**I21** Sch. 3 para. 21 in force at 21.12.2018, see [reg. 1\(1\)](#)

**22.** Article 63(14)(1) and (2) (evidence of adoptions, etc.) has effect as if—

(a) in paragraph (1)—

(i) for “Adopted Children Register” there were substituted “Parental Order Register”;

(ii) in sub-paragraph (a) for “adoption” there were substituted “parental order”; and

(iii) in sub-paragraph (b) for “adopted person” there were substituted “person who is the subject of the parental order”; and

(b) in paragraph (2) for “section 50(2) of the Adoption Act 1976 or section 56 of the Adoption and Children (Scotland) Act 2007” there were substituted—

“section 77(4) or (5) of the Adoption and Children Act 2002 (as applied with modifications by regulation 2 of and Schedule 1 to the Parental Order Regulations) or section 56 of the Adoption and Children (Scotland) Act 2007 (as applied with modifications by regulation 3 of and Schedule 2 to the Parental Order Regulations)”.

**Commencement Information**

**I22** Sch. 3 para. 22 in force at 21.12.2018, see [reg. 1\(1\)](#)

**23.** Article 64(3)(15)(removal of proceedings and appeals) has effect as if for from “Subject to paragraph (2)” to “under this Order” there were substituted—

“Without prejudice to Articles 61 and 65 of the County Courts (Northern Ireland) Order(16) 1980 any person aggrieved with a decision of a county court on an application made to it for a parental order or on an application made to it under Article 30 (as applied with modifications by regulation 4 of and Schedule 3 to the Parental Order Regulations)”.

**Commencement Information**

**I23** Sch. 3 para. 23 in force at 21.12.2018, see [reg. 1\(1\)](#)

**24.** Article 65 (proceedings to be in private) has effect as if for “under Part III, Article 30 and Article 57” there were substituted “pursuant to section 54 or section 54A of the 2008 Act”.

**Commencement Information**

**I24** Sch. 3 para. 24 in force at 21.12.2018, see [reg. 1\(1\)](#)

**25.** Article 66(17) (guardians ad litem) has effect as if—

(a) in paragraph (1) for “an adoption order or an order freeing a child for adoption or an order under Article 20 or 57” there were substituted “a parental order”;

(b) in paragraph (2)(a) the word “adoption” were omitted; and

(14) Article 63 was amended by paragraph 11 of Schedule 1 to S.I. 2011/1740.

(15) Article 64 was amended by S.I. 1995 No. 755 (NI 2).

(16) S.I. 1987 No. 397 (NI 3).

(17) Article 66 was substituted by paragraph 166 of Schedule 9 to S.I. 1995/755.

**Status:** Point in time view as at 21/12/2018.

**Changes to legislation:** The Human Fertilisation and Embryology (Parental Orders) Regulations 2018, SCHEDULE 3 is up to date with all changes known to be in force on or before 05 September 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. (See end of Document for details)

(c) after paragraph (2)(a) there were inserted—

“(aa) shall be appointed from any panels of persons established by regulations made under Article 66A; and”.

**Commencement Information**

**I25** Sch. 3 para. 25 in force at 21.12.2018, see [reg. 1\(1\)](#)

**26.** Article 68(18) (regulations) has effect as if after “this Order” there were inserted “(as applied with modifications by regulation 4 and Schedule 3 of the Parental Order Regulations)”.

**Commencement Information**

**I26** Sch. 3 para. 26 in force at 21.12.2018, see [reg. 1\(1\)](#)

**27.** Schedule 2 (form of entry in Adopted Children Register) has effect as if —

- (a) for “Adopted Children Register” in the heading there were substituted “Parental Order Register”;
- (b) for “adopter or adopters” in column 5 there were substituted “persons who obtained the parental order under section 54 of the 2008 Act or the person who obtained the parental order under section 54A of that Act”; and
- (c) for “adoption order” in column 6 there were substituted “parental order”.

**Commencement Information**

**I27** Sch. 3 para. 27 in force at 21.12.2018, see [reg. 1\(1\)](#)

(18) Article 68 was amended by [S.R. 1993 No. 494](#).

**Status:**

Point in time view as at 21/12/2018.

**Changes to legislation:**

The Human Fertilisation and Embryology (Parental Orders) Regulations 2018, SCHEDULE 3 is up to date with all changes known to be in force on or before 05 September 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.