

---

STATUTORY INSTRUMENTS

---

**1995 No. 755**

**The Children (Northern Ireland) Order 1995**

**PART XIV**

**PARENTS NOT MARRIED TO EACH OTHER**

**Parents not being married to each other to have no effect in law on relationships**

**155.**—(1) In this Order and in any statutory provision or any instrument passed or made after the commencement of this Article, references (however expressed) to any relationship between two persons shall be construed without regard to whether or not the father and mother of either of them or the father and mother of any person through whom the relationship is deduced, have or had been married to each other at any time.

(2) In this Order and in any statutory provision passed or made after the commencement of this Article—

- (a) references to a person whose father and mother were married to each other at the time of his birth include, and
- (b) references to a person whose father and mother were not married to each other at the time of his birth do not include,

references to any person to whom paragraph (3) applies.

(3) This paragraph applies to any person who—

- (a) is treated as legitimate by virtue of section 1 of the Legitimacy Act (Northern Ireland) 1961<sup>(1)</sup>;
- (b) is a legitimated person within the meaning of Article 32 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989<sup>(2)</sup>;
- (c) is an adopted child within the meaning of Part V of the Adoption Order; or
- (d) is otherwise treated in law as legitimate.

(4) For the purpose of construing references falling within paragraph (2), the time of a person's birth shall be taken to include any time during the period beginning with—

- (a) the insemination resulting in his birth; or
- (b) where there was no such insemination, his conception,

and (in either case) ending with his birth.

(5) Paragraphs (1) and (2) have effect subject to any contrary intention.

---

(1) 1961 c. 5 (N.I.)  
(2) 1989 NI 4

### **Application of principle to certain existing statutory provisions**

**156.** The Department of Finance and Personnel may by order make provision for the construction in accordance with Article 155 of such statutory provisions passed or made before the commencement of that Article as may be specified in the order, but an order under this Article shall so amend the statutory provisions to which it relates as to secure that (so far as practicable) they continue to have the same effect notwithstanding the making of the order.

### **Property rights**

**157.** Schedule 6 (which contains provisions relating to property rights where the parents of a child were not married to each other at the time of his birth) shall have effect.

### **Repeal of Illegitimate Children (Affiliation Orders) Act (Northern Ireland) 1924**

**158.** The Illegitimate Children (Affiliation Orders) Act (Northern Ireland) 1924<sup>(3)</sup> shall cease to have effect.

---

(3) 1924 c. 27 (N.I.)