STATUTORY INSTRUMENTS

1987 No. 2203

The Adoption (Northern Ireland) Order 1987

PART IV

CARE AND PROTECTION OF CHILDREN AWAITING ADOPTION

Restrictions on removal of children

Return of children placed for adoption by adoption agencies

31 [F1]**.**—(1) Subject to paragraph (2), at any time after a child has been**[**[F2] placed with**]** any person in pursuance of arrangements made by an adoption agency for the adoption of the child by that person, and before an adoption order has been made on the application of that person in respect of the child,—

(a) that person may serve notice on the agency of his intention not to**[**[F2] give the child a home**]**; or

(b) the agency may cause notice to be served on that person of their intention not to allow the child to remain in his**[**[F2] home**]**.

(2) A notice under paragraph (1)(b) shall not be served in respect of a child in relation to whom an application has been made for an adoption order except with the leave of the court to which the application has been made.

(3) Where a notice is served on an adoption agency by any person or by an adoption agency on any person under paragraph (1), or where an application for an adoption order made by any person in respect of a child placed**[**[F2] with him**]** by an adoption agency is refused by the court or withdrawn, that person shall, within 7 days after the date on which notice was served or the application refused or withdrawn, as the case may be, cause the child to be returned to the agency, who shall receive the child.

(4) Where the period specified in an interim order made under Article 26 (whether as originally made or as extended under paragraph (2) of that Article) expires without an adoption order having been made in respect of the child, paragraph (3) shall apply as if the application for an adoption order upon which the interim order was made, had been refused at the expiration of that period.

(5) It shall be sufficient compliance with the requirements of paragraph (3) if the child is delivered to, and is received by, a suitable person nominated for the purpose by the adoption agency.

(6) Where an application for an adoption order is refused the court may, if it thinks fit at any time before the expiry of the period of 7 days mentioned in paragraph (3), order that period to be extended to a duration, not exceeding 6 weeks, specified in the order.

(7) Any person who contravenes the provisions of this Article shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both; and the court by which the offender is convicted may order the child in respect of whom the offence is committed to be returned to his parent or guardian or to the adoption agency which made the arrangements referred to in paragraph (1).

F1 mod. by SR 2003/16
F2 1995 NI 2

Changes to legislation:
The Adoption (Northern Ireland) Order 1987, Section 31 is up to date with all changes known to be in force on or before 27 August 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 the whole Order associated Parts and Chapters:
Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- s. 6(2) words inserted by S.I. 2019/1514 reg. 29(4)
- art. 60(1A) inserted by 2022 c. 18 (N.I.) Sch. 4 para. 6(a)