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STATUTORY INSTRUMENTS

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**1995 No. 755**

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

**PART XVII**

**MISCELLANEOUS AND GENERAL**

*Miscellaneous*

**Annual report**

**181.** The Department shall, after consultation with the Lord Chancellor, the Department of Education and the Department of Finance and Personnel, cause an annual general report on the operation of this Order to be prepared and laid before the Assembly.

**[<sup>F1</sup>Delegation of functions by Lord Chief Justice**

**181A.**—(1) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise a delegable function—

- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
- (b) a Lord Justice of Appeal (as defined in section 88 of that Act).

(2) In paragraph (1) “delegable function” means a function under any of these provisions of this Order—

- (a) Article 4(2);
- (b) Article 166(14);
- (c) Article 169(5);
- (d) Article 170(5);
- (e) in Schedule 1, paragraph 6(2);
- (f) in Schedule 7—
  - (i) paragraph 1(1), (2) and (4);
  - (ii) paragraph 2(1) and (5);
  - (iii) paragraph 3;
  - (iv) paragraph 4(4), (6)(a) and (7).]

**F1** Art. 181A inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 99; S.I. 2006/1014, art. 2(a), Sch. 1 para. 12(b)

### Temporary exercise of functions of authorities by Department

**182.**—(1) The Department may by regulations provide that until such date as may be prescribed the provisions to which paragraph (2) applies shall have effect as if for references to an authority there were substituted references to the Department.

(2) This paragraph applies to—

- (a) Articles 78, 80 to 87, 94 and 96 to 103;
- (b) regulations made for the purposes of Article 80(4) or 96(4);
- (c) regulations made under Article 89(2)(j) or (k) or 105(2)(j) or (k); and
- (d) such other provisions of this Order as may be prescribed.

(3) Regulations may make such modifications of this Order as appear to the Department to be necessary or expedient for the purposes of paragraph (1).

(4) Regulations under paragraph (1) shall not prescribe a date later than the expiration of six years from the commencement of this Article.

### Regulations and orders

**183.**—(1) Subject to paragraphs (2)<sup>[F2]</sup> to (4)], regulations under this Order shall be subject to negative resolution.

(2) Orders under Article 18(4) or 156 shall be subject to affirmative resolution.

<sup>[F3]</sup>(3) Orders under this Order made by the Department of Justice shall be subject to negative resolution.]

<sup>[F2]</sup>(4) Regulations under Article 18(10) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

**F2** 2002 c. 21

**F3** Art. 183(3) substituted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(5), **Sch. 18 para. 151** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

### Transitional provisions and savings

**184.**—(1) The transitional provisions and savings set out in Schedule 8 shall have effect.

(2) An order under Article 1(2) may make such transitional provisions or savings as appear to the Secretary of State to be necessary or expedient in connection with the provisions brought into operation by the order, including—

- (a) provisions adding to or modifying the provisions of Schedule 8; and
- (b) such adaptations—
  - (i) of the provisions brought into operation by the order; and
  - (ii) of any provisions of this Order then in operation,

as appear to the Secretary of State necessary or expedient in consequence of the partial operation of this Order.

*Article 185— Amendments and Repeals*

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Children (Northern Ireland) Order 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- [art. 181 heading words substituted by 2022 c. 18 \(N.I.\) s. 143\(2\)](#)

**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):

- [art. 45\(2\)\(e\) words repealed by 2022 c. 18 \(N.I.\) Sch. 5](#)
- [art. 7\(2A\)\(ba\) substituted for word by 2009 c. 24 Sch. 6 para. 26\(2\)](#)
- [art. 7\(2B\)\(ba\) substituted for word by 2009 c. 24 Sch. 6 para. 26\(3\)](#)
- [art. 8\(4\)\(ha\) applied by 2022 c. 18 \(N.I.\) s. 116](#)
- [art. 10\(5A\) inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 26\(b\)](#)
- [art. 10\(7A\) inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 26\(c\)](#)
- [art. 14A?-14F and cross-heading inserted by 2022 c. 18 \(N.I.\) s. 119\(1\)](#)
- [art. 14A\(7\) applied \(with modifications\) for specified purposes by 2022 c. 18 \(N.I.\) s. 26\(6\)](#)
- [art. 14C\(1\)\(b\) applied \(with modifications\) for specified purposes by 2022 c. 18 \(N.I.\) s. 26\(7\)\(a\)](#)
- [art. 14C\(3\)\(4\) excluded by 2022 c. 18 \(N.I.\) s. 26\(7\)\(b\)](#)
- [art. 18\(4A\) inserted by 2022 c. 18 \(N.I.\) s. 120\(1\)](#)
- [art. 18\(6\)-\(6C\) substituted for art. 18\(6\) by 2022 c. 18 \(N.I.\) s. 121\(1\)](#)
- [art. 22\(3\)\(aa\) inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 29](#)
- [art. 26\(1A\) inserted by 2022 c. 18 \(N.I.\) s. 122\(1\)](#)
- [art. 26A inserted by 2022 c. 18 \(N.I.\) s. 123](#)
- [art. 27\(7A\) inserted by 2022 c. 18 \(N.I.\) s. 125\(3\)](#)
- [art. 27\(8\)\(c\) and word added by 2022 c. 18 \(N.I.\) s. 122\(2\)\(b\)](#)
- [art. 27\(9A\)-\(9D\) inserted by 2022 c. 18 \(N.I.\) s. 124](#)
- [art. 28\(4\) inserted by 2022 c. 18 \(N.I.\) s. 125\(4\)](#)
- [art. 28A inserted by 2022 c. 18 \(N.I.\) s. 126](#)
- [art. 28B inserted by 2022 c. 18 \(N.I.\) s. 127](#)
- [art. 33\(9\) added by 2022 c. 18 \(N.I.\) Sch. 3 para. 31\(c\)](#)
- [art. 34E\(1\)\(d\) and word inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 32\(a\)\(iii\)](#)
- [art. 34E\(3\)\(4\) inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 32\(b\)](#)
- [art. 34F\(1\)\(aa\) inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 33\(a\)\(i\)](#)
- [art. 34F\(1A\)-\(1D\) inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 33\(b\)](#)
- [art. 34G inserted by 2022 c. 18 \(N.I.\) s. 129](#)
- [art. 34AA inserted by 2022 c. 18 \(N.I.\) s. 128\(1\)](#)
- [art. 34DA inserted by 2022 c. 18 \(N.I.\) s. 128\(2\)](#)
- [art. 34DB34DC inserted by 2022 c. 18 \(N.I.\) s. 128\(3\)](#)
- [art. 35\(1\)-\(1B\) substituted for art. 35\(1\) by 2022 c. 18 \(N.I.\) Sch. 3 para. 34\(a\)](#)
- [art. 35\(5\)\(za\) inserted by 2022 c. 18 \(N.I.\) Sch. 3 para. 34\(c\)](#)
- [art. 35D\(1\)\(aa\)\(ab\) inserted by 2022 c. 18 \(N.I.\) s. 128\(4\)](#)
- [art. 35D\(1A\) inserted by 2022 c. 18 \(N.I.\) s. 130\(1\)](#)
- [art. 45\(2\)\(e\)\(i\)\(ii\) inserted by 2022 c. 18 \(N.I.\) s. 131\(a\)](#)
- [art. 45\(2\)\(f\)\(i\)-\(iii\) inserted by 2022 c. 18 \(N.I.\) s. 131\(b\)](#)
- [art. 45\(3A\)-\(3C\) inserted by 2022 c. 18 \(N.I.\) s. 130\(4\)](#)
- [art. 45\(4A\) inserted by 2022 c. 18 \(N.I.\) s. 130\(6\)](#)
- [art. 45\(5A\) inserted by 2022 c. 18 \(N.I.\) s. 130\(7\)](#)
- [art. 45A?? inserted by 2022 c. 18 \(N.I.\) s. 132](#)

- art. 50A?? inserted by 2022 c. 18 (N.I.) s. 134(1)
- art. 53(1)(ba) inserted by 2022 c. 18 (N.I.) Sch. 3 para. 38(b)
- art. 53(6A) inserted by 2022 c. 18 (N.I.) s. 135(3)
- art. 53(8)(za) inserted by 2022 c. 18 (N.I.) s. 135(4)
- art. 57(3A) inserted by 2022 c. 18 (N.I.) s. 119(3)
- art. 60(6)(ha) inserted by 2022 c. 18 (N.I.) s. 138
- art. 66(5A) inserted by 2022 c. 18 (N.I.) s. 120(3)
- art. 107(7)(c) added by 2022 c. 18 (N.I.) s. 139(4)
- art. 108(2A) inserted by 2022 c. 18 (N.I.) s. 140(3)
- art. 108(3)(c) and word added by 2022 c. 18 (N.I.) s. 140(4)(c)
- art. 112A inserted by 2022 c. 18 (N.I.) s. 141
- art. 159(1)(c) and word added by 2022 c. 18 (N.I.) s. 119(4)(b)
- art. 165(2)(k) inserted by 2011 c. 24 (N.I.) s. 95(3)
- art. 170(2)-(9A) modified by 2022 c. 18 (N.I.) s. 105(3)
- art. 170(9A) inserted by 2022 c. 18 (N.I.) s. 142
- art. 179(5A) inserted by 2022 c. 18 (N.I.) Sch. 3 para. 42
- art. 181(1) art. 181 renumbered as art. 181 (1) by 2022 c. 18 (N.I.) s, 143(3)
- art. 181(1) words substituted by 2022 c. 18 (N.I.) s. 143(4)
- art. 181(2) added by 2022 c. 18 (N.I.) s. 143(5)
- art. 183(2A) inserted by 2022 c. 18 (N.I.) s. 130(8)