
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 222

Paternity and Adoption Leave (Adoption from Overseas) Regulations (Northern Ireland) 2003

PART I
GENERAL

Interpretation

4.—(1) Regulation 2 of the Leave Regulations shall be modified in accordance with the following paragraphs.

(2) In paragraph (1),

(a) for the definition of “adopter”, substitute –

““adopter”, in relation to a child, means a person by whom the child has been or is to be adopted or, in a case where the child has been or is to be adopted by two people jointly, whichever of them has elected to take adoption leave in respect of the child;” and

(b) in the appropriate places in alphabetical order, insert –

““adoption from overseas” means the adoption of a child who enters Northern Ireland from outside the United Kingdom in connection with or for the purposes of adoption which does not involve the placement of the child for adoption under the law of any part of the United Kingdom;”

““enter Northern Ireland” means enter Northern Ireland from outside the United Kingdom in connection with or for the purposes of adoption, and cognate expressions shall be construed accordingly;”

““official notification” means written notification, issued by or on behalf of the relevant domestic authority, that it is prepared to issue a certificate to the overseas authority concerned with the adoption of the child, or has issued a certificate and sent it to that authority, confirming, in either case, that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent;” and

““relevant domestic authority” means –

(a) in the case of an adopter to whom the Intercountry Adoption (Hague Convention) Regulations (Northern Ireland) 2003⁽¹⁾ apply, the Department of Health, Social Services and Public Safety; and

(b) in any other case, the Secretary of State;”.

(3) For paragraph (4) substitute –

“(4) For the purposes of these Regulations, in a case where a child is to be adopted by two people jointly, a person elects to be a child’s adopter, if he and the other person agree,

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at the time when the official notification is received, that he and not the other person will be the adopter.”