
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 92

**The Statutory Paternity Pay and Statutory
Adoption Pay (Parental Orders and Prospective
Adopters) Regulations (Northern Ireland) 2015**

**PART 1
GENERAL**

Citation and commencement

1. These Regulations may be cited as the Statutory Paternity Pay and Statutory Adoption Pay (Parental Orders and Prospective Adopters) Regulations (Northern Ireland) 2015 and come into operation on 15th March 2015.

Interpretation

2. In these Regulations—

“Administration Regulations” means the Statutory Paternity Pay and Statutory Adoption Pay (Administration) Regulations (Northern Ireland) 2002(1);

“parental order parent” means a person on whose application the court has made a parental order(2) in relation to a child;

“Pay Regulations” means the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations (Northern Ireland) 2002(3).

3.—(1) The amendments made in Part 2 and 4 of these Regulations have effect only in relation to children matched with a person who is notified of having been matched on or after 5th April 2015.

(2) For the purposes of paragraph (1)—

(a) a person is matched with a child for adoption when an adoption agency decides that that person would be a suitable adoptive parent for the child;

(b) in a case where sub-paragraph (a) applies, a person is notified as having been matched with a child on the date that person receives notification of the agency’s decision, under regulation 11(2)(d) of the Adoption Agencies Regulations (Northern Ireland) 1989(4), regulation 33(3)(a) of the Adoption Agencies Regulations 2005(5), regulation 28(3) of the Adoption Agencies (Wales) Regulations 2005(6) or regulation 8(5) of the Adoption Agencies (Scotland) Regulations 2009(7);

(1) S.R. 2002 No. 379.

(2) “Parental order” is defined by sections 167ZB(7) and 167ZL(8A) of 1992 c. 7, as modified by S.R. 2015 No. 90.

(3) S.R. 2002 No. 378; amended by S.R. 2004 No. 132, S.R. 2005 No. 167 and S.R. 2015 No. 89.

(4) S.R. 1989 No. 253.

(5) S.I. 2005/389.

(6) S.I. 2005/1313.

- (c) a person is matched with a child where each of the following conditions is met—
- (i) that person is an approved foster parent and an approved prospective adopter, and the child is, or is expected to be, placed by the authority⁽⁸⁾ with that person under Article 27(2)(a) of the Children (Northern Ireland) Order 1995⁽⁹⁾;
 - (ii) the authority—
 - (aa) is considering adoption for the child, or
 - (bb) is satisfied that adoption is in the best interests of the child, and
 - (iii) the authority is considering whether that person would be a suitable adoptive parent for that child;
- (d) in a case where sub-paragraph (c) applies, a person is notified as having been matched with a child on the date that that person receives notification from the authority that the conditions in that paragraph have been met;
- (e) a person is also matched with a child for adoption when a decision has been made in accordance with regulation 22A of the Care Planning, Placement and Case Review (England) Regulations 2010⁽¹⁰⁾ and an adoption agency has identified that person with whom the child is to be placed in accordance with regulation 12B of the Adoption Agencies Regulations 2005⁽¹¹⁾;
- (f) in a case where sub-paragraph (e) applies, a person is notified as having been matched with a child on the date on which that person receives notification in accordance with regulation 12B(2)(a) of the Adoption Agencies Regulations 2005.
- (3) In paragraph (2) “adoption agency” has the meaning given—
- (a) in relation to Northern Ireland, by Article 3(3) of the Adoption (Northern Ireland) Order 1987⁽¹²⁾;
 - (b) in relation to England and Wales, by section 2 of the Adoption and Children Act 2002⁽¹³⁾; and
 - (c) in relation to Scotland, by section 119(1) of the Adoption and Children (Scotland) Act 2007⁽¹⁴⁾.

(7) S.S.I. 2009/154.

(8) “Approved foster parent”, “approved prospective adopter” and “authority” are defined, in relation to statutory paternity pay: adoption and statutory adoption pay, respectively, in sections 167ZBA(5) and 167ZLA(5) of 1992 c. 7, as inserted by 2015 c. 1 (N.I.), section 9(2) and (4).

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

(10) S.I. 2010/959; amended for relevant purposes by S.I. 2014/1556.

(11) Regulation 12B was inserted by S.I. 2014/1556.

(12) S.I. 1987/2203 (N.I. 22); Article 3(3) was amended by S.I. 1994/429 (N.I. 2).

(13) 2002 c. 38.

(14) 2007 asp 4.