
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 97

EMPLOYMENT

WORK AND FAMILIES

**The Employment Rights (Northern Ireland) Order 1996
(Application of Articles 107G and 107I to Adoptions
from Overseas) Regulations (Northern Ireland) 2015**

Made - - - - 2nd March 2015

Coming into operation 15th March 2015

Approved by resolution of the Assembly on 12th May 2015

The Department for Employment and Learning makes the following Regulations in exercise of the powers conferred by Article 107J(1) of the Employment Rights (Northern Ireland) Order 1996(1).

Citation and commencement

1. These Regulations may be cited as the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107G and 107I to Adoptions from Overseas) Regulations (Northern Ireland) 2015 and come into operation on 15th March 2015.

Application of Articles 107G and 107I of the Employment Rights (Northern Ireland) Order 1996 to adoptions from overseas

2.—(1) Articles 107G and 107I(2) of the Employment Rights (Northern Ireland) Order 1996 have effect in relation to adoptions from overseas with the modifications specified in the second column of the Schedule to these Regulations.

(2) In this regulation “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.

(1) *S.I. 1996/1919 (N.I. 16)*; Article 107J(1) was inserted by the Work and Families Act 2015 (c. 1 (N.I.)), section 2(2).
(2) Articles 107G and 107I were inserted by the Work and Families Act 2015, section 2(2).

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Sealed with the Official Seal of the Department for Employment and Learning on 2nd March 2015.



Dr Stephen Farry
Minister for Employment and Learning

SCHEDULE

Regulation 2

<i>Provision</i>	<i>Modification</i>
Article 107G	<p>For sub-paragraph (b) of paragraph (1) substitute—</p> <p>“(b) as to being a person by whom a child is, or is expected to be, adopted from overseas.”.</p> <p>For sub-paragraph (b) of paragraph (4) substitute—</p> <p>“(b) as to relationship with a child adopted, or expected to be adopted, from overseas or with a person (“A”) by whom the child is, or is expected to be, so adopted.”.</p> <p>After paragraph (6) insert—</p> <p>“(7) For the purposes of this Article and Article 107I, a person adopts a child from overseas if the person adopts 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 the United Kingdom.”.</p>
Article 107I	<p>In sub-paragraph (a) of paragraph (2), for “with whom the child is, or is expected to be, placed for adoption” substitute “by whom the child is, or is expected to be, adopted from overseas”.</p> <p>In sub-paragraph (b) of paragraph (2), for “with whom the child is, or is expected to be, placed for adoption” substitute “by whom the child is, or is expected to be, adopted from overseas”.</p> <p>In sub-paragraph (b) of paragraph (14), for “placed for adoption” substitute “adopted from overseas”.</p>

EXPLANATORY NOTE

(This note is not part of the Regulations)

Articles 107G to 107M of the Employment Rights (Northern Ireland) Order 1996 contain powers under which the Department for Employment and Learning may make regulations entitling an

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employee who is adopting a child under the law of any part of the United Kingdom, or the spouse or partner of such an adopter, to shared parental leave.

These Regulations make the necessary modifications to Articles 107G and 107I to provide for those Articles to have effect in relation to adoptions from overseas; no modifications are needed to Articles 107H or 107K to 107M. An adoption from overseas is an adoption of a child who enters Northern Ireland from outside the United Kingdom in connection with or for the purposes of an adoption which does not involve the placement of the child for adoption under the law of any part of the United Kingdom.

An impact assessment has not been prepared for these Regulations. These Regulations are part of a package of legislative measures and the relevant impacts were assessed within the document ‘Sharing parental rights, extending flexibility at work – public consultation’, published in May 2013 (www.delni.gov.uk/index/consultation-zone/archived-consultations/archived-consultations-2013/working-parents-rights.htm), and supplemented by a further publication in April 2014 (www.delni.gov.uk/index/publications/equality-good-relations/shared-parental-leave-and-pay.htm).