

*Status: This version of this provision is prospective.*

*Changes to legislation: Adoption and Children Act (Northern Ireland) 2022, Section 91 is up to date with all changes known to be in force on or before 25 April 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. (See end of Document for details) View outstanding changes*



## 2022 CHAPTER 18

### PART 1

#### Adoption

#### CHAPTER 6

#### Adoptions with a foreign element

#### *Miscellaneous*

PROSPECTIVE

#### **Modification of section 66 for Hague Convention adoptions**

**91.**—(1) If the High Court is satisfied, on an application under this section, that each of the following conditions is met in the case of a Convention adoption, it may direct that section 66(3) does not apply, or does not apply to any extent specified in the direction.

(2) The conditions are—

- (a) that under the law of the country in which the adoption was effected, the adoption is not a full adoption;
- (b) that the consents referred to in Article 4(c) and (d) of the Convention have not been given for a full adoption or that the United Kingdom is not the receiving State (within the meaning of Article 2 of the Convention);
- (c) that it would be more favourable to the adopted child for a direction to be given under subsection (1).

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(3) A full adoption is an adoption by virtue of which the child is to be treated in law as not being the child of any person other than the adopters or adopter.

(4) In relation to a direction under this section and an application for it, Articles 35 and 36 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (declarations under Part 5 of that Order as to status) apply as they apply in relation to a direction under that Part and an application for such a direction.

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**Commencement Information**

**II** S. 91 not in operation at Royal Assent, see [s. 160\(1\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by S.I. 2018/412, Sch. 3 (as substituted) by [2022 c. 18 \(N.I.\) Sch. 3 para. 83](#)