
STATUTORY INSTRUMENTS

1987 No. 2203

The Adoption (Northern Ireland) Order 1987

PART III

ADOPTION ORDERS

Freeing for adoption

Revocation of order freeing child for adoption

20.—(1) The former parent, at any time more than 12 months after the making of the order freeing the child for adoption when—

(a) no adoption order has been made in respect of the child, and

(b) the child does not have his home with a person with whom he has been placed for adoption, may apply to the court which made the order for a further order revoking it on the ground that he wishes to resume^[F1] parental responsibility for the child].

(2) While the application is pending the adoption agency having^[F1] parental responsibility] shall not place the child for adoption without the leave of the court.

^[F1](3) The revocation of an order under Article 17(1) or 18(1) (“a freeing order”) operates—

(a) to extinguish the parental responsibility given to the adoption agency under the freeing order;

(b) to give parental responsibility for the child to—

(i) the child's mother; and

(ii) where the child's father and mother were married to ^[F2], or civil partners of,] each other at the time of his birth, the father; and

(c) to revive—

(i) any parental responsibility agreement,

(ii) any order under Article ^[F3]7] of the Children (Northern Ireland) Order 1995, and

(iii) any appointment of a guardian in respect of the child (whether made by a court or otherwise),

extinguished by the making of a freeing order.

(3A) Subject to paragraph (3)(c), the revocation does not—

(a) operate to revive—

(i) any order under the Children (Northern Ireland) Order 1995,

or

(ii) any duty referred to in Article 12(3)(c),

extinguished by the making of the freeing order; or

Changes to legislation: *The Adoption (Northern Ireland) Order 1987, Section 20 is up to date with all changes known to be in force on or before 17 March 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*

- (b) affect any person's parental responsibility so far as it relates to the period between the making of the freeing order and the date of revocation of that order.]
- (4) Subject to paragraph (5), if the application is dismissed on the ground that to allow it would contravene the principle embodied in Article 9—
 - (a) the former parent who made the application shall not be entitled to make any further application under paragraph (1) in respect of the child, and
 - (b) the adoption agency is released from the duty of complying further with Article 19(3) as respects that parent.
- (5) Paragraph (4)(a) shall not apply where the court which dismissed the application gives leave to the former parent to make a further application under paragraph (1), but such leave shall not be given unless it appears to the court that because of a change in circumstances or for any other reason it is proper to allow the application to be made.

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| <p>F1 1995 NI 2</p> <p>F2 Words in art. 20(3)(b)(ii) inserted (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514), regs. 1(2), 30(7)(a) (with regs. 6-9)</p> <p>F3 Word in art. 20(3)(c)(ii) substituted (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514), regs. 1(2), 30(7)(b) (with regs. 6-9)</p> |
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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):

- s. 6(2) words inserted by [S.I. 2019/1514 reg. 29\(4\)](#)
- art. 60(1A) inserted by [2022 c. 18 \(N.I.\) Sch. 4 para. 6\(a\)](#)