
STATUTORY INSTRUMENTS

1987 No. 2203

The Adoption (Northern Ireland) Order 1987

PART IV

CARE AND PROTECTION OF CHILDREN AWAITING ADOPTION

Protected children

Meaning of “protected child”

33.—(1) Where a person gives notice in pursuance of Article 22(1) to the Board within whose area he lives of his intention to apply for an adoption order in respect of a child, the child is for the purposes of this Part a protected child while he has his home with that person.

(2) A child is not a protected child by reason of any such notice as is mentioned in paragraph (1) while—

- (a) he is in the care of any person in—
 - (i) any school within the meaning of the Education and Libraries (Northern Ireland) Order 1986(1),
 - (ii) any voluntary home within the meaning of section 126 of the Children and Young Persons Act (Northern Ireland) 1968,
 - (iii) any home or institution maintained by a government department or public body; or
 - (b) he is resident in a residential home for persons suffering from mental disorder within the meaning of Article 3(1) of the Mental Health (Northern Ireland) Order 1986(2); or
 - (c) he is liable to be detained or is subject to guardianship under that Order of 1986.
- (3) A protected child ceases to be a protected child—
- (a) on the appointment of a guardian for him under the Guardianship of Infants Act 1886(3);
 - (b) on the notification to the Board for the area where the child has his home that the application for an adoption order has been withdrawn;
 - (c) on the making of any of the following orders in respect of the child—
 - (i) an adoption order;
 - (ii) an order under Article 27;
 - (iii) an order under Article 45, 46 or 47 of the Matrimonial Causes (Northern Ireland) Order 1978(4);

(1) 1986 NI 3
(2) 1986 NI 4
(3) 1886 c. 27
(4) 1978 NI 15

- (iv) an order under Article 10, 11 or 12 of the Domestic Proceedings (Northern Ireland) Order 1980⁽⁵⁾; or
 - (d) on his attaining the age of 18 years,
- whichever first occurs.