
STATUTORY INSTRUMENTS

1995 No. 755

The Children (Northern Ireland) Order 1995

PART II

GENERAL

Parental responsibility

Acquisition of parental responsibility

7.—(1) Where a child's father and mother were not married to [^{F1}, or civil partners of,] each other at the time of his birth^{F2}, the father shall acquire parental responsibility for the child if—

- (a) he becomes registered as the child's father;
- (b) he and the child's mother make an agreement^{F3} providing for him to have parental responsibility for the child; or
- (c) the court, on his application, orders that he shall have parental responsibility for the child].

[^{F4}(1ZA) Where a child has a parent by virtue of section 43 of the Human Fertilisation and Embryology Act 2008 and is not a person to whom Article 155(3) applies, that parent shall acquire parental responsibility for the child if—

- (a) she becomes registered as a parent of the child;
- (b) she and the child's mother make an agreement providing for her to have parental responsibility for the child; or
- (c) the court, on her application, orders that she shall have parental responsibility for the child.

(1ZB) An agreement under paragraph (1)(b) [^{F5}, (1ZA)(b) or (1A)(b)] is known as a “parental responsibility agreement”.]

[^{F2}(1A) A child's step-parent shall acquire parental responsibility for the child if^{F6}—

- (a) the court, on the application of the step-parent, orders that he shall have parental responsibility for the child^{F7}; or
- (b) the step-parent, and—
 - (i) the parent of the child who is the spouse or civil partner of the step-parent, or
 - (ii) if the other parent of the child also has parental responsibility for the child, both parents,make an agreement providing for the step-parent to have parental responsibility for the child.]

(1B) Where a person has parental responsibility for a child as a result of paragraph (1A), he shall not have the right—

- (a) to consent, or refuse to consent, to the making of an application with respect to the child under Article 17 of the Adoption Order;

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- (b) to agree, or refuse to agree, to the making of an adoption order, or an order under Article 57 of the Adoption Order, with respect to the child; or
- (c) to appoint a guardian for the child.

(1C) In paragraph (1A) “step-parent” means a person who is married to^[F8], or a civil partner of,] a child's parent who has parental responsibility for the child.]

- (2) No parental responsibility agreement shall have effect for the purposes of this Order unless—
- (a) it is made in the prescribed form; and
 - (b) it has been recorded in the prescribed manner (if any).

^[F9](2A) In paragraph (1)(a) “registered” means registered under—

- (a) Article 14(3)(a), (b) or (c) of the Births and Deaths Registration (Northern Ireland) Order 1976;
- (b) paragraph (a), (b) or (c) of section 10(1) or 10A(1) of the Births and Deaths Registration Act 1953; or
- (c) paragraph (a), (b)(i) or (c) of section 18(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965.

(2B) In paragraph (1ZA)(a) “registered” means registered under—

- (a) Article 14ZA(3)(a), (b) or (c) of the Births and Deaths Registration (Northern Ireland) Order 1976;
- (b) paragraph (a), (b) or (c) of section 10(1B) and of section 10A(1B) of the Births and Deaths Registration Act 1953; or
- (c) paragraph (a), (b) or (d) of section 18B(1) of, or sections 18B(3)(a) and 20(1)(a) of, the Registration of Births, Deaths and Marriages (Scotland) Act 1965.]

(3) In this Article “prescribed” means prescribed by regulations made by the Department of Finance and Personnel

^{F10}

^[F2](3A) A person who has acquired parental responsibility under paragraph (1) ^[F11], (1ZA)] or (1A) shall cease to have that responsibility if the court so orders.

- (4) The court may make an order under paragraph (3A) on the application—
- (a) of any person who has parental responsibility for the child; or
 - (b) with leave of the court, of the child himself,

subject, in the case of parental responsibility acquired by ^[F12]a parent] of the child under paragraph (1) (c) ^[F13]or (1ZA)(c)], to Article 12(4) (residence orders and parental responsibility).]

(5) The court may only grant leave under paragraph (4)(b) if it is satisfied that the child has sufficient understanding to make the proposed application.

F1	Words in art. 7(1) 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), 27(4) (with regs. 6-9)
F2	2001 c. 12 (NI)
F3	Words in art. 7(1)(b) revoked (6.4.2009 for certain purposes otherwise 1.9.2009) by Human Fertilisation and Embryology Act 2008 (c. 22) , ss. 56, 66, 68(2), Sch. 6 para. 72(2), Sch. 8 Pt. 2 ; S.I. 2009/479, art. 6(1)(e)(f)(2)(3) (with transitional provisions in art.7, Sch. 1)
F4	Art. 7(1ZA)(1ZB) inserted (6.4.2009 for certain purposes otherwise 1.9.2009) by Human Fertilisation and Embryology Act 2008 (c. 22) , ss. 56, 68(2), Sch. 6 para. 72(3) ; S.I. 2009/479, art. 6(1)(e)(f)(2) (with transitional provisions in art.7, Sch. 1)

- F5** Words in art. 7(1ZB) 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), **27(5)** (with regs. 6-9)
- F6** Word in art. 7(1A)(a) 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), **27(6)(a)** (with regs. 6-9)
- F7** Art. 7(1A)(b) and word 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), **27(6)(b)** (with regs. 6-9)
- F8** 2004 c. 33
- F9** Art. 7(2A)(2B) inserted (6.4.2009 for certain purposes otherwise 1.9.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 56, 68(2), **Sch. 6 para. 72(4)**; S.I. 2009/479, **art. 6(1)(e)(f)(2)** (with transitional provisions in art.7, Sch. 1)
- F10** Words in art. 7(3) revoked (6.4.2009 for certain purposes otherwise 1.9.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 56, 66, 68(2), Sch. 6 para. 72(5), **Sch. 8 Pt. 2**; S.I. 2009/479, **art. 6(1)(e)(f)(2)(3)** (with transitional provisions in art.7, Sch. 1)
- F11** Words in art. 7(3A) inserted (6.4.2009 for certain purposes otherwise 1.9.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 56, 68(2), **Sch. 6 para. 72(6)**; S.I. 2009/479, **art. 6(1)(e)(f)(2)** (with transitional provisions in art.7, Sch. 1)
- F12** Words in art. 7(4) substituted (6.4.2009 for certain purposes otherwise 1.9.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 56, 68(2), **Sch. 6 para. 72(7)(a)**; S.I. 2009/479, **art. 6(1)(e)(f)(2)** (with transitional provisions in art.7, Sch. 1)
- F13** Words in art. 7(4) inserted (6.4.2009 for certain purposes otherwise 1.9.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 56, 68(2), **Sch. 6 para. 72(7)(b)**; S.I. 2009/479, **art. 6(1)(e)(f)(2)** (with transitional provisions in art.7, Sch. 1)

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Changes and effects yet to be applied to :

- art. 7(1B)(a) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 23\(a\)](#)
- art. 7(1B)(b) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 23\(b\)](#)

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):

- art. 45(2)(e) words repealed by [2022 c. 18 \(N.I.\) Sch. 5](#)
- art. 7(2A)(ba) substituted for word by [2009 c. 24 Sch. 6 para. 26\(2\)](#)
- art. 7(2B)(ba) substituted for word by [2009 c. 24 Sch. 6 para. 26\(3\)](#)
- art. 8(4)(ha) applied by [2022 c. 18 \(N.I.\) s. 116](#)
- art. 10(5A) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 26\(b\)](#)
- art. 10(7A) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 26\(c\)](#)
- art. 14A?-14F and cross-heading inserted by [2022 c. 18 \(N.I.\) s. 119\(1\)](#)
- art. 14A(7) applied (with modifications) for specified purposes by [2022 c. 18 \(N.I.\) s. 26\(6\)](#)
- art. 14C(1)(b) applied (with modifications) for specified purposes by [2022 c. 18 \(N.I.\) s. 26\(7\)\(a\)](#)
- art. 14C(3)(4) excluded by [2022 c. 18 \(N.I.\) s. 26\(7\)\(b\)](#)
- art. 18(4A) inserted by [2022 c. 18 \(N.I.\) s. 120\(1\)](#)
- art. 18(6)-(6C) substituted for art. 18(6) by [2022 c. 18 \(N.I.\) s. 121\(1\)](#)
- art. 22(3)(aa) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 29](#)
- art. 26(1A) inserted by [2022 c. 18 \(N.I.\) s. 122\(1\)](#)
- art. 26A inserted by [2022 c. 18 \(N.I.\) s. 123](#)
- art. 27(7A) inserted by [2022 c. 18 \(N.I.\) s. 125\(3\)](#)
- art. 27(8)(c) and word added by [2022 c. 18 \(N.I.\) s. 122\(2\)\(b\)](#)
- art. 27(9A)-(9D) inserted by [2022 c. 18 \(N.I.\) s. 124](#)
- art. 28(4) inserted by [2022 c. 18 \(N.I.\) s. 125\(4\)](#)
- art. 28A inserted by [2022 c. 18 \(N.I.\) s. 126](#)
- art. 28B inserted by [2022 c. 18 \(N.I.\) s. 127](#)
- art. 33(9) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 31\(c\)](#)
- art. 34E(1)(d) and word inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 32\(a\)\(iii\)](#)
- art. 34E(3)(4) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 32\(b\)](#)
- art. 34F(1)(aa) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 33\(a\)\(i\)](#)
- art. 34F(1A)-(1D) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 33\(b\)](#)
- art. 34G inserted by [2022 c. 18 \(N.I.\) s. 129](#)
- art. 34AA inserted by [2022 c. 18 \(N.I.\) s. 128\(1\)](#)
- art. 34DA inserted by [2022 c. 18 \(N.I.\) s. 128\(2\)](#)
- art. 34DB34DC inserted by [2022 c. 18 \(N.I.\) s. 128\(3\)](#)
- art. 35(1)-(1B) substituted for art. 35(1) by [2022 c. 18 \(N.I.\) Sch. 3 para. 34\(a\)](#)
- art. 35(5)(za) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 34\(c\)](#)
- art. 35D(1)(aa)(ab) inserted by [2022 c. 18 \(N.I.\) s. 128\(4\)](#)
- art. 35D(1A) inserted by [2022 c. 18 \(N.I.\) s. 130\(1\)](#)
- art. 45(2)(e)(i)(ii) inserted by [2022 c. 18 \(N.I.\) s. 131\(a\)](#)
- art. 45(2)(f)(i)-(iii) inserted by [2022 c. 18 \(N.I.\) s. 131\(b\)](#)
- art. 45(3A)-(3C) inserted by [2022 c. 18 \(N.I.\) s. 130\(4\)](#)
- art. 45(4A) inserted by [2022 c. 18 \(N.I.\) s. 130\(6\)](#)
- art. 45(5A) inserted by [2022 c. 18 \(N.I.\) s. 130\(7\)](#)

- art. 45A?? inserted by 2022 c. 18 (N.I.) s. 132
- art. 50A?? inserted by 2022 c. 18 (N.I.) s. 134(1)
- art. 53(1)(ba) inserted by 2022 c. 18 (N.I.) Sch. 3 para. 38(b)
- art. 53(6A) inserted by 2022 c. 18 (N.I.) s. 135(3)
- art. 53(8)(za) inserted by 2022 c. 18 (N.I.) s. 135(4)
- art. 57(3A) inserted by 2022 c. 18 (N.I.) s. 119(3)
- art. 60(6)(ha) inserted by 2022 c. 18 (N.I.) s. 138
- art. 66(5A) inserted by 2022 c. 18 (N.I.) s. 120(3)
- art. 107(7)(c) added by 2022 c. 18 (N.I.) s. 139(4)
- art. 108(2A) inserted by 2022 c. 18 (N.I.) s. 140(3)
- art. 108(3)(c) and word added by 2022 c. 18 (N.I.) s. 140(4)(c)
- art. 112A inserted by 2022 c. 18 (N.I.) s. 141
- art. 159(1)(c) and word added by 2022 c. 18 (N.I.) s. 119(4)(b)
- art. 165(2)(k) inserted by 2011 c. 24 (N.I.) s. 95(3)
- art. 170(2)-(9A) modified by 2022 c. 18 (N.I.) s. 105(3)
- art. 170(9A) inserted by 2022 c. 18 (N.I.) s. 142
- art. 179(5A) inserted by 2022 c. 18 (N.I.) Sch. 3 para. 42
- art. 181(1) art. 181 renumbered as art. 181 (1) by 2022 c. 18 (N.I.) s, 143(3)
- art. 181(1) words substituted by 2022 c. 18 (N.I.) s. 143(4)
- art. 181(2) added by 2022 c. 18 (N.I.) s. 143(5)
- art. 183(2A) inserted by 2022 c. 18 (N.I.) s. 130(8)