STATUTORY RULES OF NORTHERN IRELAND

2006 No. 480

CHILDREN

The Children (Prescribed Orders – Isle of Man and Guernsey) Regulations (Northern Ireland) 2006

Made - - - -	*27th November 2006*
Coming into operation	*21st December 2006*

The Department of Health, Social Services and Public Safety (**1**), makes the following Regulations in exercise of the powers conferred by Article 180 of the Children (Northern Ireland) Order 1995 (**2**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Children (Prescribed Orders – Isle of Man and Guernsey) Regulations (Northern Ireland) 2006 and shall come into operation on 21 December 2006.

(2) In these Regulations —

"the Order" means the Children (Northern Ireland) Order 1995;

"the Act of Tynwald" means the Children and Young Persons Act 2001 (an Act of Tynwald) (**3**);

"the Guernsey Department" means the States Department of Health and Social Services of Guernsey;

"the Isle of Man Department" means the Department of Health and Social Security of the Isle of Man.

Transfer of care orders to Northern Ireland from the Isle of Man

2.—(1) A care order under section 31 of the Act of Tynwald (being made by a court in the Isle of Man which appears to the Department to correspond in its effect to an order which may be made under the Order) shall in the circumstances prescribed in paragraph (2) have effect for all purposes of the Order as if it were a care order under Article 50 of the Order.

(2) The circumstances prescribed are —

(**1**) Formerly the Department of Health and Social Services: See Article 3.(6) of S.I. 1999/283 (N.I. 1)
(**2**) S.I. 1995/755 (N.I. 2)
(**3**) 2001 c. 20 (Isle of Man)

(a) the court has given its approval under paragraph 6(2) of Schedule 2 to the Act of Tynwald to the Isle of Man Department arranging or assisting in arranging for the child to live in Northern Ireland; and

(b) the authority has agreed in writing to receive the child into its care.

Transfer of care orders from Northern Ireland to the Isle of Man

3. The conditions prescribed for the purposes of Article 180(1) of the Order in the case of a child who is taken to live in the Isle of Man are that —

(a) the court has given its approval under Article 33(1) of the Order to the authority arranging or assisting in arranging for the child to live in care in the Isle of Man;

(b) the Isle of Man Department has notified the court referred to in paragraph (a) that it agrees to receive the child into its care; and

(c) the authority has notified the court referred to in paragraph (a) that it agrees to the Isle of Man Department receiving the child into its care.

Transfer of care orders from Northern Ireland to Guernsey

4. The conditions prescribed for the purposes of Article 180(1) of the Order in the case of a child who is taken to live in Guernsey are that —

(a) the court has given its approval under Article 33(1) of the Order to the authority arranging or assisting in arranging for the child to live in care in Guernsey;

(b) the Guernsey Department has notified the Guernsey Juvenile Court in writing that it agrees to receive the child into its care;

(c) the authority has notified the Guernsey Juvenile Court in writing that it agrees to the Guernsey Department receiving the child into its care; and

(d) the Guernsey Juvenile Court has made a fit person order in respect of the child.

Transfer of recovery orders to Northern Ireland from the Isle of Man

5. For all purposes of the Order, a recovery order under section 49 of the Act of Tynwald (being an order made by a court in the Isle of Man which appears to the Department to correspond in its effect to an order which may be made under the Order) shall have effect as if it were a recovery order made under Article 69 of the Order.

Revocation

6. The Children (Prescribed Orders – Isle of Man and Guernsey) Regulations (Northern Ireland) 1996 (**4**) are revoked.

(**4**) S.R. 1996 No. 528