STATUTORY RULES OF NORTHERN IRELAND

# 2003 No. 255

# REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ETC. ADOPTION

## The Registration of Foreign Adoptions Regulations (Northern Ireland) 2003

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| *Made - - - -* | *24th April 2003* |
| *Coming into operation* | *1st June 2003* |

The Department of Finance and Personnel in exercise of the powers conferred on it by Article 53(3B) and (3D) of the Adoption (Northern Ireland) Order 1987(**1**), and of all other powers enabling it in that behalf, hereby makes the following Regulations.

### Citation and commencement

**1.** These Regulations may be cited as the Registration of Foreign Adoptions Regulations (Northern Ireland) 2003 and shall come into operation on 1st June 2003.

### Interpretation

**2.** In these regulations –

"the Order" means the Adoption (Northern Ireland) Order 1987;

"the Act" means the Adoption (Intercountry Aspects) Act (Northern Ireland) 2001(**2**).

"the Central Authority" has the same meaning as Article 6 of the Convention.

### Requirements for registration

**3.**—(1) An application for an entry to be made in the Adopted Children Register in respect of a Convention adoption may be made only if the person making the application provides –

(**1**) S.I. 1987/2203 (N.I. 22); Article 53 was amended by section 10(2) of the Adoption (Intercountry Aspects) Act (Northern Ireland) 2001 (2001 c. 11 (N.I.)) ("the 2001 Act"). *See* also definition of "prescribed" in Article 2(2) which was amended by Article 6(3) of S.R. 1993 No. 494; paragraph 138(7) of Schedule 9 to S.I. 1995/755 (N.I. 2); Section 14(1)(b) of the 2001 Act and paragraph 53 of Schedule 3 to the Adoption and Children Act 2002 (c. 38.)

(**2**) 2001 c. 11 (N.I.)

(a) the Article 23(1) certificate made under the Convention by the Central Authority of the appropriate Convention country or a copy of that certificate certified as a true copy of the original by a notary public or equivalent officer; and

(b) where appropriate, a translation of that certificate into English certified by a translator the costs to be borne by the applicants.

(2) An application for an entry to be made in the Adopted Children Register in respect of an overseas adoption may be made only if the person making the application provides –

(a) either –

(i) a certified copy of the adoption order made in respect of the adopted child; or

(ii) a certified copy of an entry made, in respect of the adopted child, in accordance with the law of the country or territory concerned, in a public register relating to the recording of adoptions, and showing that the adoption has been effected; and

(b) where appropriate, a translation of that order or entry into English certified by a translator the costs to be borne by the applicants.

**Manner of application for an entry to be made in the Adopted Children Register**

(i) An application for an entry to be made in the Adopted Children Register in respect of a Convention adoption or an overseas adoption shall be made in the manner provided for by this regulation.

(ii) The application shall be made in writing on a form approved by the Registrar General or in such other manner as the Registrar General may accept.

**Persons who may make an application**

**5.** For the purpose of Article 53(3B) of the Order (Prescribed person who may make an application) a prescribed person is: –

(a) in the case of a couple, one of the adoptive parents;

(b) in the case of a sole adoptive parent, that parent;

(c) the adopted person who is over the age of 18 years;

(d) any person who has acquired parental responsibility within the meaning of Article 6 of the Children (Northern Ireland) Order 1995(**3**).

**Particulars to be given in respect of an application**

**6.**—(1) An application for an entry to be made in the Adopted Children Register in respect of a Convention adoption or an overseas adoption shall give the particulars specified in paragraph (2).

(2) The particulars specified for the purpose of paragraph (1) are –

(a) the date of birth of the adopted child, if known;

(b) the place and country of birth of the adopted child;

(c) the sex of the adopted child;

(d) the full name of the adopted child, both before and after adoption;

(e) the full name, including any previous names, of the natural father and natural mother of the adopted child, to the extent known;

(**3**) S.I. 1995/755 (N.I. 2)