STATUTORY RULES OF NORTHERN IRELAND

2015 No. 100

EMPLOYMENT

WORK AND FAMILIES

The Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015

Made - - - -	*2nd March 2015*
Coming into operation	*15th March 2015*

The Department for Employment and Learning makes the following Regulations in exercise of the powers conferred by Articles 107AC, 107BA, 107J(2), 112BAA and 251(6) of the Employment Rights (Northern Ireland) Order 1996 [F1].

F1 S.I. 1996/1919 (N.I. 16); Articles 107AC, 107BA, 107J and 112BAA were inserted, respectively, by the Work and Families Act (Northern Ireland) 2015 (c. 1), **sections 10(2)**, 10(3), 2(2) and 10(5).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Employment Rights (Northern Ireland) Order 1996 (Application of Articles 107A, 107B, 107G, 107I, 112A and 112B to Parental Order Cases) Regulations (Northern Ireland) 2015 and come into operation on 15 March 2015.

(2) In these Regulations—

"the Order" means the Employment Rights (Northern Ireland) Order 1996;

[[F2]"intended parent", in relation to a child, means a person who, on the day of the child's birth—

(a) applies, or intends to apply during the period of 6 months beginning with that day—

(i) with another person for an order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of the child; or

(ii) as the sole applicant for an order under section 54A of that Act in respect of the child; and

(b) expects the court to make such an order in respect of the child;**]**

[F3]...

F4 …

[F5“section 54 parental order parent” means a person—

(a) on whose application the court has made an order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of a child; or

(b) who is an intended parent of a child by reference to an application or intended application for such an order;**]**

[F5“section 54A parental order parent” means a person—

(a) on whose application the court has made an order under section 54A of the Human Fertilisation and Embryology Act 2008 in respect of a child; or

(b) who is an intended parent of a child by reference to an application or intended application for such an order.**]**

F2 Words in reg. 1(2) substituted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 12(2)(a)**
F3 Words in reg. 1(2) omitted (3.1.2019) by virtue of The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 12(2)(b)**
F4 Words in reg. 1(2) omitted (3.1.2019) by virtue of The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 12(2)(c)**
F5 Words in reg. 1(2) inserted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 12(2)(d)**

Application of Articles 107A and 107B of the Order to parental order parents

2. Articles 107A and 107B of the Order F6 have effect in relation to **[**F7section 54 parental order parents and section 54A parental order parents**]** .

F6 Articles 107A and 107B were inserted by the Employment (Northern Ireland) Order 2002 (S.I. 2002/2836 (N.I. 2)), **Article 3**.
F7 Words in reg. 2 substituted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 12(3)**

Application of Articles 107G and 107I of the Order to parental order parents

3. Articles 107G and 107I of the Order F8 have effect in relation to **[**F9section 54 parental order parents**]** with the modifications specified in the second column of Schedule 1.

F8 Articles 107G and 107I were inserted by 2015 c. 1 (N.I.), **section 2**.
F9 Words in reg. 3 substituted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 12(4)**

Application of Articles 112A and 112B of the Order to parental order parents

4. Articles 112A and 112B of the Order F10 have effect in relation to **[**F11section 54 parental order parents**]** with the modifications specified in the second column of Schedule 2.

F10 Articles 112A and 112B were inserted by S.I. 2002/2836 (N.I. 2), **Article 4**.

F11 Words in reg. 4 substituted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 12(5)**

Sealed with the Official Seal of the Department for Employment and Learning on 2nd March 2015.

L.S.

Dr Stephen Farry
Minister for Employment and Learning

SCHEDULE 1 Regulation 3

Provision	***Modification***
Article 107G	For sub-paragraph (b) of paragraph (1) substitute— "(b) as to being a person— (i) on whose application the court has made a parental order in respect of a child, or (ii) who is an intended parent of a child,". For sub-paragraph (b) of paragraph (4) substitute— "(b) as to being a person— (i) on whose application the court has made a parental order in respect of a child, or (ii) who is an intended parent of a child, (ba) as to relationship with the other person ("A") on whose application the parental order was made or who is an intended parent of the child,". After paragraph (6) insert— "(7) In this Article and Article 107I— **[**F12"intended parent", in relation to a child, means a person who, on the day of the child's birth— (a) applies, or intends to apply during the period of 6 months beginning with that day— (i) with another person for an order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of the child; or (ii) as the sole applicant for an order under section 54A of that Act in respect of the child; and (b) expects the court to make such an order in respect of the child; and "parental order" means an order under section 54 or 54A of the Human Fertilisation and Embryology Act 2008."**]**.
Article 107I	In sub-paragraph (a) of paragraph (2), for "with whom the child is, or is expected to be placed