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**Changes to legislation:** Children Act 1989, Paragraph 5 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 7

#### FOSTER PARENTS: LIMITS ON NUMBER OF FOSTER CHILDREN

##### *Effect of exceeding fostering limit*

5 <sup>[F1]</sup>(A1) This paragraph applies to a person fostering in England.]

(1) A person shall cease to be treated <sup>[F2]</sup>, for the purposes of this Act and the Care Standards Act 2000] as fostering and shall be treated <sup>[F2]</sup>, for the purposes of this Act and the Care Standards Act 2000] as carrying on a children's home if—

- (a) he exceeds the usual fostering limit; or
- (b) where he is exempted under paragraph 4,—
  - (i) he fosters any child not named in the exemption; and
  - (ii) in so doing, he exceeds the usual fostering limit.

(2) Sub-paragraph (1) does not apply if the children concerned are all siblings in respect of each other.

#### **Textual Amendments**

- F1** Sch. 7 para. 5(A1) inserted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018](#) (S.I. 2018/195), **regs. 2(1)**, 13(a)
- F2** Words in Sch. 7 para. 5(1) inserted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 14(26)**; S.I. 2001/4150, **art. 3(3)(a)** (subject to transitional provision in **art. 4** of the commencing S.I. and to the amendment of **art. 3** by S.I. 2002/1493, **art. 6**); S.I. 2002/920, **art. 3(3)(d)** (with **art. 3(4)-(10)**) and transitional provisions in **Schs. 1-3**)

#### **Commencement Information**

- I1** Sch. 7 para. 5 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828](#), **art. 3(2)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)