

Changes to legislation: Child Abduction and Custody Act 1985, Part I is up to date with all changes known to be in force on or before 25 March 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

SCHEDULES

SCHEDULE 3

CUSTODY ORDERS

Modifications etc. (not altering text)

- C1** Sch. 3 applied (with modifications) (1.3.1997) by S.I. 1996/3156, art. 2, Sch.
Sch. 3 applied (with modifications) (2.12.1997) by S.I. 1997/2574 art. 2, Sch.

PART I

ENGLAND AND WALES

- ^{F1}[1 The following are the orders referred to in section 27(1) of this Act—
- (a) a care order under the Children Act 1989 (as defined by section 31(11) of that Act, read with section 105(1) and Schedule 14);
 - ^{F2}(b) a child arrangements order (as defined by section 8 of the Act of 1989) if the arrangements regulated by the order consist of, or include, arrangements relating to either or both of the following—
 - (i) with whom a child is to live, or
 - (ii) when a child is to live with any person;]
 - [^{F3}(bb) a special guardianship order (within the meaning of the Act of 1989); and]
 - (c) any order made by a court in England and Wales under any of the following enactments—
 - (i) section 9(1), 10(1)(a) or 11(a) of the Guardianship of Minors Act 1971;
 - (ii) section 42(1) or (2) or 43(1) of the Matrimonial Causes Act 1973;
 - (iii) section 2(2)(b), 4(b) or (5) of the Guardianship Act 1973 as applied by section 34(5) of the Children Act 1975;
 - (iv) section 8(2)(a), 10(1) or 19(1)(ii) of the Domestic Proceedings and Magistrates Courts Act 1978;
- ^{F4}(v)]

Textual Amendments

- F1** Sch. 3 Pt. I para. 1 substituted (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), s. 108(5)(6), Sch. 13 para. 57(3), Sch. 14 para. 1(1); S.I. 1991/828, art. 3(2)
- F2** Sch. 3 para. 1(b) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), Sch. 2 para. 48; S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F3** Sch. 3 para. 1(bb) inserted (30.12.2005) by Adoption and Children Act 2002 (c. 38), s. 148(1), Sch. 3 para. 45 (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o)

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F4 Sch. 3 para. 1(c)(v) omitted (30.12.2005) by virtue of [Adoption and Children Act 2002 \(c. 38\)](#), s. 148(1), [Sch. 3 para. 45, 5](#) (with [Sch. 4 paras. 2](#), [Sch. 4 paras. 6-8](#)); [S.I. 2005/2213](#), art. 2(o)

2 An order made by the High Court in the exercise of its jurisdiction relating to wardship so far as it gives the care and control of a child to any person.

^{F53}

Textual Amendments

F5 Sch. 3 Pt. I para. 3 repealed (4.11.1996) by [S.I. 1995/756](#), art. 15, [Sch.](#); [S.R. 1996/297](#), art. 3

4 An authorisation given by the Secretary of State under section 26(2) of the Children and Young Persons Act 1969 (except where the relevant order, within the meaning of that section, was made by virtue of the court which made it being satisfied that the child was guilty of an offence).

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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):

- Sch. 3 para. 8(ba) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 3\(a\)](#)