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**Changes to legislation:** Children Act 1989, Paragraph 63 is up to date with all changes known to be in force on or before 22 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 13

#### CONSEQUENTIAL AMENDMENTS

##### *The Family Law Act 1986 (c. 55)*

- 63 (1) In section 1 (orders to which Part I of the Act of 1986 applies), in subsection (1)—
- (a) for paragraph (a) there shall be substituted—
    - “(a) a section 8 order made by a court in England and Wales under the Children Act 1989, other than an order varying or discharging such an order”; and
  - (b) for paragraph (d) there shall be substituted the following paragraphs—
    - “(d) an order made by a court in England and Wales in the exercise of the inherent jurisdiction of the High Court with respect to children—
      - (i) so far as it gives care of a child to any person or provides for contact with, or the education of, a child; but
      - (ii) excluding an order varying or revoking such an order;
    - (e) an order made by the High Court in Northern Ireland in the exercise of its jurisdiction relating to wardship—
      - (i) so far as it gives care and control of a child to any person or provides for the education of or access to a child; but
      - (ii) excluding an order relating to a child of whom care or care and control is (immediately after the making of the order) vested in the Department of Health and Social Services or a Health and Social Services Board.”
- <sup>F1</sup>(2) .....
- (3) For subsections (3) to (5) of that section there shall be substituted—
- “(3) In this Part, “Part I order”—
    - (a) includes any order which would have been a custody order by virtue of this section in any form in which it was in force at any time before its amendment by the Children Act 1989; and
    - (b) (subject to sections 32 and 40 of this Act) excludes any order which would have been excluded from being a custody order by virtue of this section in any such form.”

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#### Textual Amendments

**F1** Sch. 13 para. 63(2) repealed (4.11.1996) by [S.I. 1995/756](#), [arts. 1\(2\)](#), [15](#), Sch.; [S.R. 1996/297](#), [art. 3](#)

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#### Commencement Information

**I1** Sch. 13 para. 63 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)