
Changes to legislation: Children Act 1989, Paragraph 7 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

SCHEDULES

SCHEDULE 14

TRANSITIONALS AND SAVINGS

Persons who are not parents but who have custody or care and control

- 7 (1) Where a person who is not the parent or guardian of a child has custody or care and control of him by virtue of an existing order, that person shall have parental responsibility for him so long as he continues to have that custody or care and control by virtue of the order.
- (2) Where sub-paragraph (1) applies, [^{F1}Parts I and II and paragraph 15 of Schedule I] shall have effect as modified by this paragraph.
- (3) The modifications are that—
- (a) for section 2(8) there shall be substituted—
- “(8) The fact that a person has parental responsibility for a child does not entitle him to act in a way which would be incompatible with any existing order or with any order made under this Act with respect to the child”;
- (b) at the end of section 10(4) there shall be inserted—
- “(c) any person who has custody or care and control of a child by virtue of any existing order”; and
- (c) at the end of section 34(1)(c) there shall be inserted—
- “(cc) where immediately before the care order was made there was an existing order by virtue of which a person had custody or care and control of the child, that person.”
- [^{F2}(d) for paragraph 15 of Schedule I there shall be substituted—
- “15 Where a child lives with a person as the result of a custodianship order within the meaning of section 33 of the Children Act 1975, a local authority may make contributions to that person towards the cost of the accommodation and maintenance of the child so long as that person continues to have legal custody of that child by virtue of the order.”]

Textual Amendments

- F1** Words in Sch. 14 para. 7(2) substituted (14.10.1991) by S.I. 1991/828, art. 4, Sch. para. 1B(1) (as inserted by S.I. 1991/1990, art. 2(c), Sch. para. 1)
- F2** Sch. 14 para. 7(3)(d) inserted (14.10.1991) by S.I. 1991/828, art. 4, Sch. para. 1B(2) (as inserted by S.I. 1991/1990, art. 2(c), Sch. para. 1)

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Commencement Information

II Sch. 14 para. 7 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)