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**Changes to legislation:** Children Act 1989, Paragraph 4 is up to date with all changes known to be in force on or before 21 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 A1

### ENFORCEMENT ORDERS

#### PART 2

##### REVOCATION, AMENDMENT OR BREACH OF ENFORCEMENT ORDER

###### *Power to revoke*

- 4 (1) This paragraph applies where a court has made an enforcement order in respect of a person's failure to comply with a [<sup>F1</sup>provision of a child arrangements] order and the enforcement order is in force.
- (2) The court may revoke the enforcement order if it appears to the court that—
- (a) in all the circumstances no enforcement order should have been made,
  - (b) having regard to circumstances which have arisen since the enforcement order was made, it would be appropriate for the enforcement order to be revoked, or
  - (c) having regard to the person's satisfactory compliance with the [<sup>F2</sup>child arrangements] order or any [<sup>F2</sup>child arrangements] order that has effect in its place, it would be appropriate for the enforcement order to be revoked.
- (3) The enforcement order may be revoked by the court under sub-paragraph (2) of its own motion or on an application by the person subject to the enforcement order.
- (4) In deciding whether to revoke the enforcement order under sub-paragraph (2)(b), the court is to take into account—
- (a) the extent to which the person subject to the enforcement order has complied with it, and
  - (b) the likelihood that the person will comply with the [<sup>F3</sup>child arrangements] order or any contact order that has effect in its place in the absence of an enforcement order.
- (5) In deciding whether to revoke the enforcement order under sub-paragraph (2)(c), the court is to take into account the likelihood that the person will comply with the [<sup>F4</sup>child arrangements] order or any [<sup>F4</sup>child arrangements] order that has effect in its place in the absence of an enforcement order.

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#### Textual Amendments

- F1** Words in Sch. A1 para. 4(1) substituted (22.4.2014) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\)](#), [Sch. 2 para. 39\(2\)](#); [S.I. 2014/889, art. 4\(f\)](#) (with transitional provisions in [S.I. 2014/1042, arts. 3, 4, 6-10](#))

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- F2** Words in Sch. A1 para. 4(2)(c) substituted (22.4.2014) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\)](#), [Sch. 2 para. 39\(3\)](#); S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F3** Words in Sch. A1 para. 4(4)(b) substituted (22.4.2014) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\)](#), [Sch. 2 para. 39\(3\)](#); S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F4** Words in Sch. A1 para. 4(5) substituted (22.4.2014) by [Children and Families Act 2014 \(c. 6\), s. 139\(6\)](#), [Sch. 2 para. 39\(3\)](#); S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)

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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)