



Children Act 1989

1989 CHAPTER 41

PART XII

MISCELLANEOUS AND GENERAL

General

108 Short title, commencement extent etc.

- (1) This Act may be cited as the Children Act 1989.
- (2) Sections 89 and 96(3) to (7), and paragraph 35 of Schedule 12, shall come into force on the passing of this Act and paragraph 36 of Schedule 12 shall come into force at the end of the period of two months beginning with the day on which this Act is passed but otherwise this Act shall come into force on such date as may be appointed by order made by the Lord Chancellor or the Secretary of State, or by both acting jointly.
- (3) Different dates may be appointed for different provisions of this Act and in relation to different cases.
- (4) The minor amendments set out in Schedule 12 shall have effect.
- (5) The consequential amendments set out in Schedule 13 shall have effect.
- (6) The transitional provisions and savings set out in Schedule 14 shall have effect.
- (7) The repeals set out in Schedule 15 shall have effect.
- (8) An order under subsection (2) may make such transitional provisions or savings as appear to the person making the order to be necessary or expedient in connection with the provisions brought into force by the order, including—
 - (a) provisions adding to or modifying the provisions of Schedule 14, and
 - (b) such adaptations—
 - (i) of the provisions brought into force by the order; and
 - (ii) of any provisions of this Act then in force,

Changes to legislation: Children Act 1989, Section 108 is up to date with all changes known to be in force on or before 19 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

as appear to him necessary or expedient in consequence of the partial operation of this Act.

- (9) The Lord Chancellor may by order make such amendments or repeals, in such enactments as may be specified in the order, as appear to him to be necessary or expedient in consequence of any provision of this Act.
- (10) This Act shall, in its application to the Isles of Scilly, have effect subject to such exceptions, adaptations and modifications as the Secretary of State may by order prescribe.
- (11) The following provisions of this Act extend to Scotland—
- [^{F1}section 19;]
 - section 25(8);
 - section 50(13);
 - [^{F1}Part X;
 - section 80(1)(h) and (i), (2) to (4), (5)(a), (b) and (h) and (6) to (12);]
 - section 88;
 - section 104 (so far as necessary);
 - section 105 (so far as necessary);
 - subsections (1) to (3), (8) and (9) and this subsection;
 - in Schedule 2, paragraph 24;
 - in Schedule 12, paragraphs 1, 7 to 10, 18, 27, 30(a) and 41 to 44;
 - in Schedule 13, paragraphs 18 to 23, 32, 46, 47, 50, 57, 62, 63, 68(a) and (b) and 71;
 - in Schedule 14, paragraphs 1, 33 and 34;
 - in Schedule 15, the entries relating to—
- (a) the ^{M1}Custody of Children Act 1891;
 - (b) the ^{M2}Nurseries and Child Minders Regulation Act 1948;
 - (c) section 53(3) of the ^{M3}Children and Young Persons Act 1963;
 - (d) section 60 of the ^{M4}Health Services and Public Health Act 1968;
 - (e) the ^{M5}Social Work (Scotland) Act 1968;
 - (f) the ^{M6}Adoption (Scotland) Act 1978;
 - (g) the ^{M7}Child Care Act 1980;
 - (h) the ^{M8}Foster Children (Scotland) Act 1984;
 - (i) the ^{M9}Child Abduction and Custody Act 1985; and
 - (j) the ^{M10}Family Law Act 1986.
- (12) The following provisions of this Act extend to Northern Ireland—
- section 50;
 - section 101(1)(b), (2) and (5)(a)(i);
 - subsections (1) to (3), (8) and (9) and this subsection;
 - in Schedule 2, paragraph 24;
 - in Schedule 12, paragraphs 7 to 10, 18 and 27;
 - in Schedule 13, paragraphs 21, 22, 46, 47, 57, 62, 63, 68(c) to (e) and 69 to 71;
 - in Schedule 14, paragraphs ^{F2} . . . , 28 to 30 and 38(a); and
 - in Schedule 15, the entries relating to the ^{M11}Guardianship of Minors Act 1971, the ^{M12}Children Act 1975, the Child Care Act 1980, and the Family Law Act 1986.

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Extent Information

- E1** S. 108 extends to England and Wales, except s. 108(1)(3)(8)(9) which extend to the United Kingdom. See s. 108(11)(12).

Textual Amendments

- F1** Words in s. 108(11) repealed (S.) (1.4.2002) by 2001 asp 8, s. 80(1), **Sch. 4**; S.S.I. 2002/162, **art. 2(g)(i)** (subject to arts. 3-13)
- F2** Word in s. 108(12) repealed (14.10.1991) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), ss. 116, 125(7), Sch. 16 para. 25, **Sch. 20**; S.I. 1991/1883, art. 3, **Sch.**

Marginal Citations

- M1** 1891 c. 3.
M2 1948 c. 53.
M3 1963 c. 37.
M4 1968 c. 46.
M5 1968 c. 49.
M6 1978 c. 28.
M7 1980 c. 5.
M8 1984 c. 56.
M9 1985 c. 60.
M10 1986 c. 55.
M11 1971 c. 3.
M12 1975 c. 72

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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)