



Children Act 1989

1989 CHAPTER 41

PART II

ORDERS WITH RESPECT TO CHILDREN IN FAMILY PROCEEDINGS

^{F1}*[Special guardianship*

^{F1}**[14B Special guardianship orders: making**

(1) Before making a special guardianship order, the court must consider whether, if the order were made—

- (a) a [^{F2}child arrangements order containing contact provision] should also be made with respect to the child, ^{F3} . . .
- (b) any section 8 order in force with respect to the child should be varied or discharged.

^{F4} [where a [^{F5}provision contained in a child arrangements order] made with respect to the child is not discharged, any enforcement order relating to [^{F6}that provision] should be revoked, and]

^{F7}(d) where an activity direction has been made—

- (i) in proceedings for the making, variation or discharge of a child arrangements order with respect to the child, or
 - (ii) in other proceedings that relate to such an order,
- that direction should be discharged.]

^{F8} [In subsection (1) “contact provision” means provision which regulates arrangements (1A) relating to—

- (a) with whom a child is to spend time or otherwise have contact, or
- (b) when a child is to spend time or otherwise have contact with any person;

but in paragraphs (a) and (b) a reference to spending time or otherwise having contact with a person is to doing that otherwise than as a result of living with the person.]

(2) On making a special guardianship order, the court may also—

Changes to legislation: Children Act 1989, Section 14B is up to date with all changes known to be in force on or before 03 February 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

- (a) give leave for the child to be known by a new surname;
- (b) grant the leave required by section 14C(3)(b), either generally or for specified purposes.]

Textual Amendments

- F1** Ss. 14A-14G inserted (30.12.2005) by 2002 c. 38, ss. 115(1), 148 (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(k)
- F2** Words in s. 14B(1)(a) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), Sch. 2 para. 25(2)(a); S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F3** Word in s. 14B(1)(a) repealed (8.12.2008) by Children and Adoption Act 2006 (c. 20), ss. 15, 17, Sch. 2 para. 8(a), Sch. 3; S.I. 2008/2870, art. 2(2)(e)(f)
- F4** S. 14B(1)(c)(d) inserted (8.12.2008) by Children and Adoption Act 2006 (c. 20), ss. 15, 17, Sch. 2 para. 8(b); S.I. 2008/2870, art. 2(2)(e)
- F5** Words in s. 14B(1)(c) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), Sch. 2 para. 25(2)(b)(i); S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F6** Words in s. 14B(1)(c) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), Sch. 2 para. 25(2)(b)(ii); S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F7** S. 14B(1)(d) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), Sch. 2 para. 25(2)(c); S.I. 2014/889, art. 4(f) (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F8** S. 14B(1A) inserted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), Sch. 2 para. 25(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\(2\)\(b\)](#)