



Children Act 1989

1989 CHAPTER 41

PART III

LOCAL AUTHORITY SUPPORT FOR CHILDREN AND FAMILIES

Secure accommodation

29 Recoupment of cost of providing services etc.

- (1) Where a local authority provide any service under section 17 or 18, other than advice, guidance or counselling, they may recover from a person specified in subsection (4) such charge for the service as they consider reasonable.
- (2) Where the authority are satisfied that that person's means are insufficient for it to be reasonably practicable for him to pay the charge, they shall not require him to pay more than he can reasonably be expected to pay.
- (3) No person shall be liable to pay any charge under subsection (1) at any time when he is in receipt of income support [^{F1}, family credit or disability working allowance] under the ^{M1} Social Security Act 1986.
- (4) The persons are—
 - (a) where the service is provided for a child under sixteen, each of his parents;
 - (b) where it is provided for a child who has reached the age of sixteen, the child himself; and
 - (c) where it is provided for a member of the child's family, that member.
- (5) Any charge under subsection (1) may, without prejudice to any other method of recovery, be recovered summarily as a civil debt.
- (6) Part III of Schedule 2 makes provision in connection with contributions towards the maintenance of children who are being looked after by local authorities and consists of the re-enactment with modifications of provisions in Part V of the ^{M2} Child Care Act 1980.

Status: Point in time view as at 19/11/1991. This version of this provision has been superseded.

Changes to legislation: Children Act 1989, Section 29 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)

- (7) Where a local authority provide any accommodation under section 20(1) for a child who was (immediately before they began to look after him) ordinarily resident within the area of another local authority, they may recover from that other authority any reasonable expenses incurred by them in providing the accommodation and maintaining him.
- (8) Where a local authority provide accommodation under section 21(1) or (2)(a) or (b) for a child who is ordinarily resident within the area of another local authority and they are not maintaining him in—
- (a) a community home provided by them;
 - (b) a controlled community home; or
 - (c) a hospital vested in the Secretary of State [^{F2}or any other hospital made available pursuant to arrangements made by a District Health Authority],
- they may recover from that other authority any reasonable expenses incurred by them in providing the accommodation and maintaining him.
- (9) Where a local authority comply with any request under section 27(2) in relation to a child or other person who is not ordinarily resident within their area, they may recover from the local authority in whose area the child or person is ordinarily resident any [^{F3}reasonable expenses] incurred by them in respect of that person.

Textual Amendments

- F1** Words in s. 29(3) substituted (19.11.1991 for certain purposes, 10.3.1992 for certain purposes and otherwise 6.4.1992) by [Disability Living Allowance and Disability Working Allowance Act 1991](#) (c. 21, SIF 113:1), s. 7, [Sch. 3 Pt. II para. 14](#); S.I. 1991/2617, art.2(b)(e)(f), [Sch.](#)
- F2** Words in s. 29(8)(c) added by [National Health Service and Community Care Act 1990](#) (c. 19, SIF 113:2), s. 66(1), [Sch. 9 para. 36\(3\)](#)
- F3** Words in s. 29(9) substituted (14.10.1991) by [Courts and Legal Services Act 1990](#) (c. 41, SIF 76:1), s. 116, [Sch. 16 para. 15](#); S.I. 1991/1883, [art. 3](#),Sch.

Commencement Information

- I1** S. 29 in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, [art. 3\(2\)](#)

Marginal Citations

- M1** 1986 c. 50.
M2 1980 c. 5.

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