



Children Act 1989

1989 CHAPTER 41

PART IX

PRIVATE ARRANGEMENTS FOR FOSTERING CHILDREN

66 Privately fostered children.

(1) In this Part—

- (a) “a privately fostered child” means a child who is under the age of sixteen and who is cared for, and provided with accommodation [^{F1}in their own home] by, someone other than—
- (i) a parent of his;
 - (ii) a person who is not a parent of his but who has parental responsibility for him; or
 - (iii) a relative of his; and
- (b) “to foster a child privately” means to look after the child in circumstances in which he is a privately fostered child as defined by this section.

(2) A child is not privately fostered child if the person caring for and accommodating him—

- (a) has done so for a period a period of less than 28 days; and
- (b) does not intend to do so for any longer period.

(3) Subsection (1) is subject to —

- (a) the provisions of section 63; and
- (b) the exceptions made by paragraph 1 to 5 of Schedule 8.

(4) In the case of a child who is disabled, subsection (1)(a) shall have effect as if for “sixteen” there were substituted “eighteen”.

[^{F2}(4A) The Secretary of State may by regulations make provision as to the circumstances in which a person who provides accommodation to a child is, or is not, to be treated as providing him with accommodation in the person’s own home.]

Changes to legislation: Children Act 1989, Section 66 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

- (5) Schedule 8 shall have effect for the purposes of supplementing the provision made by this Part.

Textual Amendments

- F1** Words in s. 66(1)(a) inserted (1.1.2001 for E. and 28.2.2001 for W.) by 2000 c. 14, s. 116, **Sch. 4 para. 14(15)(a)**; S.I. 2000/2795, **art. 2(2)(b)**, S.I. 2001/139, art. 2(2)(b)
- F2** S. 66(4A) inserted (1.1.2001 for E. and 28.2.2001 for W.) by 2000 c. 14, s. 116, **Sch. 4 para. 14(15)(b)**; S.I. 2000/2795, **art. 2(2)(b)**, S.I. 2001/139, art. 2(2)(b)

Commencement Information

- I1** S. 66 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)