

---

**Changes to legislation:** Courts and Legal Services Act 1990, Paragraph 42 is up to date with all changes known to be in force on or before 19 August 2023. 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](#)

---

## SCHEDULES

### SCHEDULE 16

#### CHILDREN ACT 1989

#### PART II

##### FURTHER CONSEQUENTIAL AMENDMENTS

###### *The Mental Health Act 1983 (c.20)*

- 42 In section 116(2) of the Mental Health Act 1983 (visiting of patients who are children) for paragraph (a) there shall be substituted—
- “(a) a child or young person—
- (i) who is in the care of a local authority by virtue of a care order within the meaning of the Children Act 1989, or
  - (ii) in respect of whom the rights and powers of a parent are vested in a local authority by virtue of section 16 of the Social Work (Scotland) Act 1968;”.

---

#### **Commencement Information**

**II** Sch. 16 para. 42 wholly in force at 14.10.1991 see s. 124(3) and S.I. 1991/1883, art.3, Sch.

**Changes to legislation:**

Courts and Legal Services Act 1990, Paragraph 42 is up to date with all changes known to be in force on or before 19 August 2023. 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.

[View outstanding changes](#)

**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. 58A(2)(fe) inserted by [2021 c. 17 s. 53](#)