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**Changes to legislation:** Adoption and Children Act 2002, Paragraph 48 is up to date with all changes known to be in force on or before 25 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](#)

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## SCHEDULES

### SCHEDULE 3

#### MINOR AND CONSEQUENTIAL AMENDMENTS

- 48 In section 2 (jurisdiction: general), after subsection (2) there is inserted—
- “(2A) A court in England and Wales shall not have jurisdiction to make a special guardianship order under the Children Act 1989 unless the condition in section 3 of this Act is satisfied.
- (2B) A court in England and Wales shall not have jurisdiction to make an order under section 26 of the Adoption and Children Act 2002 unless the condition in section 3 of this Act is satisfied.”

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#### Commencement Information

- II** Sch. 3 para. 48 in force at 30.12.2005 by [S.I. 2005/2213](#), [art. 2\(o\)](#) (with savings and transitional provisions in [S.I. 2005/2897](#), arts. 3-16)

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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. 4A inserted by [2014 c. 6 s. 5](#)
- s. 141(7) inserted by [2010 c. 26 Sch. 3 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; S.I. 2013/2200 art. 2(a))