



Children Act 2004

2004 CHAPTER 31

PART 5

MISCELLANEOUS

Private fostering

44 Amendments to notification scheme

- (1) Section 67 of the Children Act 1989 (c. 41) (welfare of privately fostered children) is amended as specified in subsections (2) to (6).
- (2) In subsection (1)—
 - (a) after “who are” insert “ or are proposed to be ”;
 - (b) after “is being” insert “ or will be ”;
 - (c) for “caring for” substitute “ concerned with ”.
- (3) After subsection (2) insert—

“(2A) Regulations under subsection (2)(b) may impose requirements as to the action to be taken by a local authority for the purposes of discharging their duty under subsection (1) where they have received notification of a proposal that a child be privately fostered.”
- (4) In subsection (3) for “to visit privately fostered children” substitute “ for the purpose ”.
- (5) In subsection (5)—
 - (a) after “child who is” insert “ or is proposed to be ”;
 - (b) after “is being” insert “ or will be ”.
- (6) After subsection (5) insert—

“(6) The Secretary of State may make regulations requiring a local authority to monitor the way in which the authority discharge their functions under this

Changes to legislation: There are currently no known outstanding effects for the Children Act 2004, Section 44. (See end of Document for details)

Part (and the regulations may in particular require the authority to appoint an officer for that purpose).”

(7) In Schedule 8 to that Act (privately fostered children) after paragraph 7 insert—

“7A Every local authority must promote public awareness in their area of requirements as to notification for which provision is made under paragraph 7.”

(8) The reference to that Act in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) is to be treated as referring to that Act as amended by this section.

Commencement Information

- II** S. 44 wholly in force at 1.4.2006; s. 44 not in force at Royal Assent see s. 67(7); s. 44 in force for E. for certain purposes at 1.4.2005 and in force at 1.7.2005 in so far as not yet in force by [S.I. 2005/394](#), [art. 2\(2\)\(3\)](#); s. 44 in force for W. at 1.4.2006 by [S.I. 2006/885](#), [art. 2\(2\)](#)

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