



# Children Act 2004

## 2004 CHAPTER 31

### PART 1

#### CHILDREN'S COMMISSIONER

#### **[<sup>F1</sup>8A Children in England living away from home or receiving social care**

- (1) For the purposes of this Part, a child is within this section if he or she is within any of subsections (2) to (5).
- (2) A child is within this subsection if he or she is provided with accommodation by a school or college in England to which section 87(1) of the Children Act 1989 applies.
- (3) A child is within this subsection if he or she is accommodated in an establishment (within the meaning of the Care Standards Act 2000) in respect of which Her Majesty's Chief Inspector of Education, Children's Services and Skills is the registration authority under section 5 of that Act.
- (4) A child is within this subsection if functions are being exercised in relation to him or her by an agency (within the meaning of the Care Standards Act 2000) in respect of which Her Majesty's Chief Inspector of Education, Children's Services and Skills is the registration authority under section 5 of that Act.
- (5) A child is within this subsection if a local authority in England exercises social services functions (within the meaning of the Local Authority Social Services Act 1970) in relation to him or her.
- (6) For the purposes of this Part, a person who is not a child is to be treated as a child who is within this section if—
  - (a) he or she is aged 18 or over and under 25, and
  - (b) a local authority in England has provided services to him or her under any of sections 23C to 24D of the Children Act 1989 at any time after he or she reached the age of 16.]

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*Changes to legislation: There are currently no known outstanding effects  
for the Children Act 2004, Section 8A. (See end of Document for details)*

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**Textual Amendments**

**F1** S. 8A inserted (1.4.2014) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 114, 139(5)**

**Changes to legislation:**

There are currently no known outstanding effects for the Children Act 2004, Section 8A.