

*Status:* This version of this cross heading contains provisions that are prospective.

*Changes to legislation:* Welfare Reform Act 2009, Cross Heading: Children Act 1989 (c. 41) is up to date with all changes known to be in force on or before 26 May 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 6

#### REGISTRATION OF BIRTHS

#### PART 2

#### OTHER AMENDMENTS

PROSPECTIVE

#### *Children Act 1989 (c. 41)*

- 21 (1) Section 4 of the Children Act 1989 (acquisition of parental responsibility by father) is amended as follows.
- (2) At the beginning of subsection (1)(a) insert “ except where subsection (1C) applies, ”.
- (3) In subsection (1A), after paragraph (a) insert—
- “(aa) regulations under section 2C, 2D, 2E, 10B or 10C of the Births and Deaths Registration Act 1953;”.
- (4) After subsection (1B) insert—
- “(1C) The father of a child does not acquire parental responsibility by virtue of subsection (1)(a) if, before he became registered as the child's father under the enactment in question—
- (a) the court considered an application by him for an order under subsection (1)(c) in relation to the child but did not make such an order, or
- (b) in a case where he had previously acquired parental responsibility for the child, the court ordered that he was to cease to have that responsibility.”
- 22 (1) Section 4ZA of the Children Act 1989 (acquisition of parental responsibility by second female parent) is amended as follows.
- (2) At the beginning of subsection (1)(a) insert “ except where subsection (3A) applies, ”.
- (3) In subsection (2), after paragraph (a) insert—
- “(aa) regulations under section 2C, 2D, 10B or 10C of the Births and Deaths Registration Act 1953;”.
- (4) After subsection (3) insert—
- “(3A) A person who is a parent of a child by virtue of section 43 of the Human Fertilisation and Embryology Act 2008 does not acquire parental

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responsibility by virtue of subsection (1)(a) if, before she became registered as a parent of the child under the enactment in question—

- (a) the court considered an application by her for an order under subsection (1)(c) in relation to the child but did not make such an order, or
- (b) in a case where she had previously acquired parental responsibility for the child, the court ordered that she was to cease to have that responsibility.”

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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):

- [Sch. 4 para. 9\(3\)\(b\)](#) repealed by [2009 c. 24 Sch. 7 Pt. 1](#)