



# Domestic Proceedings and Magistrates' Courts Act 1978

## 1978 CHAPTER 22

### PART II

#### AMENDMENTS OF THE GUARDIANSHIP OF MINORS ACTS 1971 AND 1973

##### *Amendment of provisions relating to the custody of minors*

#### **36 Meaning of custody in Guardianship of Minors Acts 1971 and 1973**

- (1) In the Guardianship of Minors Act 1971—
  - (a) for the word " custody " in each place (except in section 13) where that word occurs there shall be substituted the words " legal custody ";
  - (b) in section 13(1) for the words "legal custody" there shall be substituted the words " actual custody ";
  - (c) in section 20(2) after the word "Act" there shall be inserted the words "' actual custody', as respect a child, means the actual possession of the person of the child,' legal custody ' shall be construed in accordance with Part IV of the Children Act 1975 and ".
- (2) In the Guardianship Act 1973 for the word " custody " in each place where that word occurs there shall be substituted the words " legal custody " and at the end of section 1(1) of that Act there shall be added the following paragraph—

“In this Act ' legal custody ' shall be construed in accordance with Part IV of the Children Act 1975.”.