

**Changes to legislation:** Children Act 1989, Paragraph 2 is up to date with all changes known to be in force on or before 26 January 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

SCHEDULES

SCHEDULE 8

PRIVATELY FOSTERED CHILDREN

Exemptions

- 2
- (1) A child is not a privately fostered child while he is in the care of any person—

(a) in premises in which any—

(i) parent of his;

(ii) person who is not a parent of his but who has parental responsibility for him; or

(iii) person who is a relative of his and who has assumed responsibility for his care,

is for the time being living;

F1

(b) . . . . .

(c) in accommodation provided by or on behalf of any voluntary organisation;

(d) in any school in which he is receiving full-time education;

(e) in any health service hospital;

F2

(f) in any care home or independent hospital]

(g) in any home or institution not specified in this paragraph but provided, equipped and maintained by the Secretary of State.

(2) Sub-paragraph [F3(1)(c)] to (g) does not apply where the person caring for the child is doing so in his personal capacity and not in the course of carrying out his duties in relation to the establishment mentioned in the paragraph in question.

Textual Amendments	
F1	Sch. 8 para. 2(1)(b) repealed (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 14(27)(a), Sch. 6; S.I. 2001/4150, art. 3(3)(a)(c)(viii) (subject to transitional provision in art. 4 of the commencing S.I. and to the amendment of art. 3 by S.I. 2002/1493, art. 6); S.I. 2002/920, art. 3(3)(d)(g) (with art 3(4)-(10) and transitional provisions in Schs. 1-3)
F2	Sch. 8 para. 2(1)(f) substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 14(28); S.I. 2001/4150, art. 3(3)(a) (subject to transitional provision in art. 4 of the commencing S.I. and to the amendment of art. 3 by S.I. 2002/1493, art. 6); S.I. 2002/920, art. 3(3)(d) (with art 3(4)-(10) and transitional provisions in Schs. 1-3)
F3	Words in Sch. 8 para. 2(2) substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 14(27)(a); S.I. 2001/4150, art. 3(3)(a) (subject to transitional provision in art. 4 of the commencing S.I. and to the amendment of art. 3 by S.I. 2002/1493, art. 6); S.I. 2002/920, art. 3(3)(d) (with art 3(4)-(10) and transitional provisions in Schs. 1-3)
Commencement Information	
I1	Sch. 8 para. 2 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

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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. 4(1A)(aa) inserted by [2009 c. 24 Sch. 6 para. 21\(3\)](#)
- s. 4(1C) inserted by [2009 c. 24 Sch. 6 para. 21\(4\)](#)
- s. 4ZA(2)(aa) inserted by [2009 c. 24 Sch. 6 para. 22\(3\)](#)
- s. 4ZA(3A) inserted by [2009 c. 24 Sch. 6 para. 22\(4\)](#)
- s. 8(4)(k) inserted by [2021 c. 17 s. 52\(1\)](#)
- s. 31A(4A) inserted by [2014 c. 6 s. 15\(2\)\(b\)](#)