



Children Act 1989

1989 CHAPTER 41

PART III

[^{F1}SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND]

[^{F1}Independent reviewing officers

[^{F1} 30 Miscellaneous.

- (1) Nothing in this Part shall affect any duty imposed on a local authority by or under any other enactment.
- (2) Any question arising under section 20(2), 21(3) or 29(7) to (9) as to the ordinary residence of a child shall be determined by agreement between the local authorities concerned or, in default of agreement, by the [^{F2}Secretary of State][^{F3}but see subsection (2C)].

^{F4}(2A)

^{F4}(2B)

[Any question arising as to whether a child is ordinarily resident—

- ^{F5}(2C) (a) in the area of a local authority under section 20(2), 21(3) or 29(7) to (9), or
(b) in the area of a local authority in Wales under section 76(2), 77(4) or (5), or 193(3) to (6) of the Social Services and Well-being (Wales) Act 2014,
shall be determined by the local authority and local authority in Wales concerned, or in default of agreement, by the Secretary of State.]

[The Secretary of State must consult the Welsh Ministers before making a
^{F5}(2D) determination under subsection (2C).]

(3) ^{F6}

Changes to legislation: Children Act 1989, Section 30 is up to date with all changes known to be in force on or before 18 April 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

- (4) The [^{F7}Secretary of State] may make regulations for determining, as respects any [^{F8}education] functions specified in the regulations, whether a child who is being looked after by a local authority is to be treated, for purposes so specified, as a child of parents of sufficient resources or as a child of parents without resources.]

Textual Amendments

- F1** Ss. 25A, 25B and cross-heading inserted (1.9.2009 for certain purposes for E., 26.4.2010 for certain purposes for W., and and 1.4.2011 otherwise for E.) by [Children and Young Persons Act 2008 \(c. 23\), ss. 10\(1\), 44](#); [S.I. 2009/2273, art. 2\(2\)\(c\)](#); [S.I. 2010/1329, art. 2\(c\)](#); [S.I. 2010/2981, art. 4\(c\)](#) (with art. 5)
- F2** Words in s. 30(2) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\), regs. 2\(1\), 95\(a\)\(i\)](#)
- F3** Words in s. 30(2) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\), regs. 2\(1\), 95\(a\)\(ii\)](#)
- F4** S. 30(2A)(2B) omitted (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\), regs. 2\(1\), 95\(b\)](#)
- F5** Words in s. 30(2C)(2D) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\), regs. 2\(1\), 95\(c\)](#)
- F6** S. 30(3) repealed (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\)\(2\), Sch. 2 para. 37\(6\)\(a\), Sch. 3 Pt. 2](#)
- F7** Words in s. 30(4) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\), regs. 2\(1\), 95\(d\)](#)
- F8** Words in s. 30(4) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\), Sch. 2 para. 37\(6\)\(b\)](#)

Commencement Information

- I1** S. 30 wholly in force at 14.10.1991, see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

Changes to legislation:

Children Act 1989, Section 30 is up to date with all changes known to be in force on or before 18 April 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.

[View outstanding changes](#)

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)