



# Children Act 1989

## 1989 CHAPTER 41

### PART IV

#### CARE AND SUPERVISION

##### *Powers of court*

#### **39 Discharge and variation etc. of care orders and supervision orders**

- (1) A care order may be discharged by the court on the application of—
  - (a) any person who has parental responsibility for the child;
  - (b) the child himself; or
  - (c) the local authority designated by the order.
- (2) A supervision order may be varied or discharged by the court on the application of—
  - (a) any person who has parental responsibility for the child;
  - (b) the child himself; or
  - (c) the supervisor.
- (3) On the application of a person who is not entitled to apply for the order to be discharged, but who is a person with whom the child is living, a supervision order may be varied by the court in so far as it imposes a requirement which affects that person.
- (4) Where a care order is in force with respect to a child the court may, on the application of any person entitled to apply for the order to be discharged, substitute a supervision order for the care order.
- (5) When a court is considering whether to substitute one order for another under subsection (4) any provision of this Act which would otherwise require section 31(2) to be satisfied at the time when the proposed order is substituted or made shall be disregarded.