



# Children Act 1989

## 1989 CHAPTER 41

### PART IX

#### PRIVATE ARRANGEMENTS FOR FOSTERING CHILDREN

#### 70 Offences.

- (1) A person shall be guilty of an offence if—
- (a) being required, under any provision made by or under this Part, to give any notice or information—
    - (i) he fails without reasonable excuse to give the notice within the time specified in that provision; or
    - (ii) he fails without reasonable excuse to give the information within a reasonable time; or
    - (iii) he makes, or causes or procures another person to make, any statement in the notice or information which he knows to be false or misleading in a material particular;
  - (b) he refuses to allow a privately fostered child to be visited by a duly authorised officer of a local authority;
  - (c) he intentionally obstructs another in the exercise of the power conferred by section 67(3);
  - (d) he contravenes section 68;
  - (e) he fails without reasonable excuse to comply with any requirement imposed by a local authority under this Part;
  - (f) he accommodates a privately fostered child in any premises in contravention of a prohibition imposed by a local authority under this Part;
  - (g) he knowingly causes to be published, or publishes, an advertisement which he knows contravenes paragraph 10 of Schedule 8.
- (2) Where a person contravenes section 68(3), he shall not be guilty of an offence under this section if he proves that he did not know, and had no reasonable ground for believing, that any person to whom section 68(1) applied was living or employed in the premises in question.

---

*Changes to legislation: Children Act 1989, Section 70 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*

---

- (3) A person guilty of an offence under subsection (1)(a) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A person guilty of an offence under subsection (1)(b), (c) or (g) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) A person guilty of an offence under subsection (1)(d) or (f) shall be liable on summary conviction to imprisonment for a term not exceeding six months, or to a fine not exceeding level 5 on the standard scale, or to both.
- (6) A person guilty of an offence under subsection (1)(e) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (7) If any person who is required, under any provision of this Part, to give a notice fails to give the notice within the time specified in that provision, proceedings for the offence may be brought at any time within six months from the date when evidence of the offence came to the knowledge of the local authority.
- (8) Subsection (7) is not affected by anything in section 127(1) of the <sup>M1</sup>Magistrates' Courts Act 1980 (time limit for proceedings).

---

**Modifications etc. (not altering text)**

**C1** S. 70: power to amend conferred (15.1.2005) by [Children Act 2004 \(c. 31\)](#), **ss. 45-47**

---

**Commencement Information**

**II** S. 70 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and [S.I. 1991/828](#), **art. 3(2)**

---

**Marginal Citations**

**M1** 1980 c. 43.

**Changes to legislation:**

Children Act 1989, Section 70 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)