

Status: Point in time view as at 03/04/2006.

Changes to legislation: Constitutional Reform Act 2005, Cross Heading: Children Act 1989 (c. 41) is up to date with all changes known to be in force on or before 23 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)

SCHEDULES

SCHEDULE 4

OTHER FUNCTIONS OF THE LORD CHANCELLOR AND ORGANISATION OF THE COURTS

PART 1

AMENDMENTS

Children Act 1989 (c. 41)

- 203 The Children Act 1989 is amended as follows.
- 204 (1) Section 7 (welfare reports) is amended as follows.
- (2) In subsection (2) after “Lord Chancellor may” insert “, after consulting the Lord Chief Justice, ”.
- (3) After subsection (5) insert—
- “(6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).”
- 205 (1) Section 92 (jurisdiction of the courts) is amended as follows.
- (2) In subsection (9) after “Lord Chancellor may” insert “, after consulting the Lord Chief Justice, ”.
- (3) In subsection (10) after “Lord Chancellor thinks expedient” insert “, after consulting the Lord Chief Justice, ”.
- (4) After subsection (10) insert—
- “(10A) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (9) or (10).”
- 206 (1) Section 94 (appeals) is amended as follows.
- (2) In subsection (10) after “Lord Chancellor may” insert “, after consulting the Lord Chief Justice, ”.
- (3) After subsection (11) insert—
- “(12) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (10).”
- 207 In section 96 (evidence given by, or with respect to, children), in subsection (3) after “Lord Chancellor may” insert “, with the concurrence of the Lord Chief Justice, ”.

Status: Point in time view as at 03/04/2006.

Changes to legislation: *Constitutional Reform Act 2005, Cross Heading: Children Act 1989 (c. 41) is up to date with all changes known to be in force on or before 23 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)*

- 208 (1) In section 97 (privacy for children involved in certain proceedings).
- (2) In subsection (4) after “requires it” insert “ and, in the case of the Lord Chancellor, if the Lord Chief Justice agrees ”.
- (3) After subsection (8) insert—
- “(9) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (4).”
- 209 (1) In Schedule 1 (financial provision for children), paragraph 5 (maximum lump sum payable for maintenance of child by order of magistrates court) is amended as follows.
- (2) In sub-paragraph (2) after “Lord Chancellor may” substitute “ , after consulting the Lord Chief Justice, ”.
- (3) After sub-paragraph (6) insert—
- “(7) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this paragraph.”
- 210 (1) Schedule 11 (jurisdiction) is amended as follows.
- (2) In paragraph 1 (commencement of proceedings) after “Lord Chancellor may” in each place insert “ , after consulting the Lord Chief Justice, ”.
- (3) In paragraph 2 (transfer of proceedings)—
- (a) in sub-paragraph (1) after “Lord Chancellor may” insert “ , after consulting the Lord Chief Justice, ”;
- (b) in sub-paragraph (5) after “Lord Chancellor thinks appropriate” insert “ , after consulting the Lord Chief Justice, ”.
- (4) In paragraph 3 (hearings by a single justice), in sub-paragraph (1) after “Lord Chancellor may” insert “ , after consulting the Lord Chief Justice, ”.
- (5) In paragraph 4 (general)—
- (a) in sub-paragraph 5(a) after “Lord Chancellor considers expedient” insert “ , after consulting the Lord Chief Justice, ”.
- (b) after sub-paragraph (5) insert—
- “(6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this Part of this Schedule.”

Status:

Point in time view as at 03/04/2006.

Changes to legislation:

Constitutional Reform Act 2005, Cross Heading: Children Act 1989 (c. 41) is up to date with all changes known to be in force on or before 23 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.