

SCHEDULES

SCHEDULE 2

CHILD ARRANGEMENTS ORDERS: AMENDMENTS

PART 1

AMENDMENTS OF THE CHILDREN ACT 1989

- 7 (1) Section 11A (contact activity directions) is amended as follows.
- (2) For subsections (1) to (3) (power to make directions) substitute—
- “(1) Subsection (2) applies in proceedings in which the court is considering whether to make provision about one or more of the matters mentioned in subsection (1A) by making—
- (a) a child arrangements order with respect to the child concerned, or
 - (b) an order varying or discharging a child arrangements order with respect to the child concerned.
- (1A) The matters mentioned in this subsection are—
- (a) with whom a child is to live,
 - (b) when a child is to live with any person,
 - (c) with whom a child is to spend time or otherwise have contact, and
 - (d) when a child is to spend time or otherwise have contact with any person.
- (2) The court may make an activity direction in connection with the provision that the court is considering whether to make.
- (2A) Subsection (2B) applies in proceedings in which subsection (2) does not apply and in which the court is considering—
- (a) whether a person has failed to comply with a provision of a child arrangements order, or
 - (b) what steps to take in consequence of a person’s failure to comply with a provision of a child arrangements order.
- (2B) The court may make an activity direction in connection with that provision of the child arrangements order.
- (3) An activity direction is a direction requiring an individual who is a party to the proceedings concerned to take part in an activity that would, in the court’s opinion, help to establish, maintain or improve the involvement in the life of the child concerned of—
- (a) that individual, or
 - (b) another individual who is a party to the proceedings.”

Status: This is the original version (as it was originally enacted).

- (3) In subsection (5) (particular activities that may be required), in paragraph (a)(i) and (ii) and in paragraph (b), for “contact with a child” substitute “involvement in a child’s life”.
- (4) In subsection (6) (activities which may not be required) for “a contact” substitute “an”.
- (5) In subsection (7) (court may not make contact activity direction on same occasion as disposing of proceedings as they relate to contact)—
 - (a) in paragraph (a) for “a contact activity direction” substitute “an activity direction under subsection (2)”, and
 - (b) in paragraph (b) for “contact with the child concerned” substitute “the matters mentioned in subsection (1A) in connection with which the activity direction is made”.
- (6) After subsection (7) insert—
 - “(7A) A court may not on the same occasion—
 - (a) make an activity direction under subsection (2B), and
 - (b) dispose finally of the proceedings as they relate to failure to comply with the provision in connection with which the activity direction is made.”
- (7) In subsection (8) (limitations on power to make direction under subsection (2)) for “Subsection (2)” substitute “Each of subsections (2) and (2B)”.
- (8) In subsection (9) (welfare of child is paramount consideration in considering whether to make contact activity direction) for “a contact” substitute “an”.
- (9) In the title omit “Contact”.