



Children Act 1989

1989 CHAPTER 41

PART II

ORDERS WITH RESPECT TO CHILDREN IN FAMILY PROCEEDINGS

General

8 Residence, contact and other orders with respect to children.

(1) In this Act —

“a contact order” means an order requiring the person with whom a child lives, or is to live, to allow the child to visit or stay with the person named in the order, or for that person and the child otherwise to have contact with each other;

“a prohibited steps order” means an order that no step which could be taken by a parent in meeting his parental responsibility for a child, and which is of a kind specified in the order, shall be taken by any person without the consent of the court;

“a residence order” means an order settling the arrangements to be made as to the person with whom a child is to live; and

“a specific issue order” means an order giving directions for the purpose of determining a specific question which has arisen, or which may arise, in connection with any aspect of parental responsibility for a child.

(2) In this Act “a section 8 order” means any of the orders mentioned in subsection (1) and any order varying or discharging such an order.

(3) For the purposes of this Act “family proceedings” means any proceedings—

(a) under the inherent jurisdiction of the High Court in relation to children; and

(b) under the enactments mentioned in subsection (4),

but does not include proceedings on an application for leave under section 100(3).

(4) The enactments are—

Status: Point in time view as at 01/04/2001. This version of this provision has been superseded.

Changes to legislation: Children Act 1989, Section 8 is up to date with all changes known to be in force on or before 26 May 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)

- (a) Parts I, II and IV of this Act;
- (b) the ^{M1}Matrimonial Causes Act 1973;
- [^{F1}(c) the ^{M2}Domestic Violence and Matrimonial Proceedings Act 1976;]
- (d) the ^{M3}Adoption Act 1976;
- (e) the ^{M4}Domestic Proceedings and Magistrates' Courts Act 1978;
- [^{F1}(f) sections 1 and 9 of the ^{M5}Matrimonial Homes Act 1983;]
- (g) Part III of the ^{M6}Matrimonial and Family Proceedings Act 1984.
- [^{F2}(h) the Family Law Act 1996]
- [^{F3}(i) sections 11 and 12 of the Crime and Disorder Act 1998.]

Textual Amendments

- F1** S. 8(4)(c) and (f) repealed (1.10.1997) by 1996 c. 27, ss. 66(1)(3), Sch. 8 Pt. III para. 60(1), **Sch. 10**(with Sch. 9 para. 5); S.I. 1997/1892, **art. 3(1)(b)(d)**
- F2** S. 8(4)(h) inserted (1.10.1997) by 1996 c. 27, ss. 66(1), **Sch. 8 Pt. III para. 60(1)** : S.I. 1997/1892, **art. 3(1)(b)**
- F3** S. 8(4)(i) inserted (30.9.1998) by 1998 c. 37, s. 119, **Sch. 8 para.68**; S.I. 1998/2327, **art.2(1)(y)(2)(u)** (subject to arts. 5-8)

Commencement Information

- I1** S. 8 wholly in force at the 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

Marginal Citations

- M1** 1973 c. 18.
- M2** 1976 c. 50.
- M3** 1976 c. 36.
- M4** 1978 c. 22.
- M5** 1983 c. 19.
- M6** 1984 c. 42.

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