



# Children Act 1989

## 1989 CHAPTER 41

### PART II

#### ORDERS WITH RESPECT TO CHILDREN IN FAMILY PROCEEDINGS

##### *General*

## 8 <sup>[F1]</sup>Child arrangements orders] and other orders with respect to children.

(1) In this Act —

"<sup>[F2]</sup>child arrangements order" means an order regulating arrangements relating to any of the following—

- (a) with whom a child is to live, spend time or otherwise have contact, and
- (b) when a child is to live, spend time or otherwise have contact with any person;]

<sup>F3</sup>  
...

"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;

<sup>F3</sup>  
...

"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).

*Changes to legislation: Children Act 1989, Section 8 is up to date with all changes known to be in force on or before 16 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*

- (4) The enactments are—
- (a) Parts I, II and IV of this Act;
  - (b) the <sup>M1</sup>Matrimonial Causes Act 1973;
  - [<sup>F4</sup>(ba) Schedule 5 to the Civil Partnership Act 2004;]
  - [<sup>F5</sup>(c) the <sup>M2</sup> Domestic Violence and Matrimonial Proceedings Act 1976;
  - (d) the Adoption and Children Act 2002;]
  - (e) the <sup>M3</sup>Domestic Proceedings and Magistrates' Courts Act 1978;
  - [<sup>F6</sup>(ea) Schedule 6 to the Civil Partnership Act 2004;]
  - [<sup>F5</sup>(f) sections 1 and 9 of the <sup>M4</sup> Matrimonial Homes Act 1983; ]
  - (g) Part III of the <sup>M5</sup>Matrimonial and Family Proceedings Act 1984.
  - <sup>F7</sup>[( h ) the Family Law Act 1996]
  - [<sup>F8</sup>(i) sections 11 and 12 of the Crime and Disorder Act 1998.]
  - [<sup>F9</sup>(j) Part 1 of Schedule 2 to the Female Genital Mutilation Act 2003 (other than paragraph 3 of that Schedule).]

#### Textual Amendments

- F1** Words in s. 8 heading substituted (22.4.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 2 para. 3](#); [S.I. 2014/889](#), [art. 4\(f\)](#) (with transitional provisions in [S.I. 2014/1042](#), arts. 3, 4, 6-10)
- F2** Words in s. 8(1) inserted (22.4.2014) by [Children and Families Act 2014 \(c. 6\)](#), [ss. 12\(3\)](#), 139(6); [S.I. 2014/889](#), [art. 4\(b\)](#) (with transitional provisions in [S.I. 2014/1042](#), arts. 3, 4, 6-10)
- F3** Words in s. 8(1) omitted (22.4.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), [ss. 12\(2\)](#), 139(6); [S.I. 2014/889](#), [art. 4\(b\)](#) (with transitional provisions in [S.I. 2014/1042](#), arts. 3, 4, 6-10)
- F4** S. 8(4)(ba) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 26(1), [Sch. 27 para. 129\(2\)](#); [S.I. 2005/3175](#), [art. 2\(2\)](#)
- F5** 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\(1\)\(b\)](#)
- F6** S. 8(4)(ea) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 26(1), [Sch. 27 para. 129\(3\)](#); [S.I. 2005/3175](#), [art. 2\(2\)](#)
- F7** 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\(a\)](#)
- F8** 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](#))
- F9** S. 8(4)(j) inserted (15.3.2019) by [Children Act 1989 \(Amendment\) \(Female Genital Mutilation\) Act 2019 \(c. 10\)](#), [ss. 1\(2\)](#), 2(2)

#### 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** 1978 c. 22.
- M4** 1983 c. 19.
- M5** 1984 c. 42.

**Changes to legislation:**

Children Act 1989, Section 8 is up to date with all changes known to be in force on or before 16 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.

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**Changes and effects yet to be applied to :**

- s. 8(3) amended (prosp.) by [1996 c. 27 s. 66\(1\)](#)[Sch. 8 Pt. 1 para. 41\(3\)](#)

**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\(2\)\(b\)](#)