



Children and Young Persons Act 2008

2008 CHAPTER 23

PART 4

ORDERS UNDER PART 2 OF THE 1989 ACT

Residence orders

36 Entitlement of relative to apply for a residence order

In section 10 of the 1989 Act (power of the court to make orders under section 8 of that Act), after subsection (5A) insert—

“(5B) A relative of a child is entitled to apply for a residence order with respect to the child if the child has lived with the relative for a period of at least one year immediately preceding the application.”

37 Duration of residence orders

- (1) In section 9(6) of the 1989 Act (restriction on length of orders under section 8 of that Act) for the words from the beginning to “which” substitute “No court shall make a specific issue order, contact order or prohibited steps order”.
- (2) In section 12 of that Act (residence orders and parental responsibility) omit subsections (5) and (6).
- (3) In section 91(10) of that Act (duration of section 8 orders)—
 - (a) after “section 8 order” insert “other than a residence order”; and
 - (b) omit “or 12(5)”.

Status: This is the original version (as it was originally enacted).

Special guardianship orders

38 Entitlement of relative to apply for a special guardianship order

In section 14A(5) of the 1989 Act (persons entitled to apply for special guardianship order), after paragraph (d) insert “;

- (e) a relative with whom the child has lived for a period of at least one year immediately preceding the application.”