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*Changes to legislation: There are currently no known outstanding effects for the Children and Families Act 2014, Paragraph 40. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 2

#### CHILD ARRANGEMENTS ORDERS: AMENDMENTS

##### PART 1

###### AMENDMENTS OF THE CHILDREN ACT 1989

- 40 (1) Schedule 1 (financial provision for children) is amended as follows.
- (2) In paragraph 1 (power of court to make orders on application of parent, guardian, special guardian or person in whose favour residence order in force)—
- (a) in sub-paragraph (1) for the words from “in whose favour” to “to a child” substitute “ who is named in a child arrangements order as a person with whom a child is to live ”,
  - (b) in sub-paragraph (6)—
    - (i) omit “a residence order or”, and
    - (ii) after “special guardianship order” insert “ , or on making, varying or discharging provision in a child arrangements order with respect to the living arrangements of a child, ” and
  - (c) after sub-paragraph (6) insert—

“(6A) For the purposes of sub-paragraph (6) provision in a child arrangements order is with respect to the living arrangements of a child if it regulates arrangements relating to—

    - (a) with whom the child is to live, or
    - (b) when the child is to live with any person.”
- (3) In paragraph 8 (circumstances in which court may revoke financial relief order under other enactment)—
- (a) in sub-paragraph (1) for “residence order” substitute “ child arrangements order to which sub-paragraph (1A) applies ”, and
  - (b) after sub-paragraph (1) insert—

“(1A) This sub-paragraph applies to a child arrangements order if the arrangements regulated by the order consist of, or include, arrangements which relate to either or both of the following—

    - (a) with whom the child concerned is to live, and
    - (b) when the child is to live with any person.”, and
  - (c) in sub-paragraph (2)(b)—
    - (i) after “any person” insert “ who is named in a child arrangements order as a person with whom the child is to live or ”, and
    - (ii) omit “a residence order or”.

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- (4) In paragraph 15 (local authority may contribute to maintenance of child living with person as a result of residence order) for “residence order” substitute “ child arrangements order”.

**Commencement Information**

- II** [Sch. 2 para. 40](#) in force at 22.4.2014 by [S.I. 2014/889](#), [art. 4\(f\)](#) (with transitional provisions in [S.I. 2014/1042](#), arts. 3, 4, 6-10)

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