

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”.

Status: This is the original version (as it was originally enacted).

- (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”.