

SCHEDULE

Article 4

ADDITIONS TO, AND MODIFICATIONS OF, SCHEDULE 14 TO THE ACT

1. In paragraph 16(4) for the words “sub-paragraph (5) only applies” there shall be substituted the words—

“sub-paragraphs (5) and (6) only apply”.

2. In paragraph 16(5)—

(a) at the beginning of the sub-paragraph there shall be inserted—

“Subject to sub-paragraph (6),”;

(b) after the word “shall” there shall be inserted—

“, subject to the provisions of section 25 of this Act and of any regulations made under that section,”; and

(c) after the words “in this Act” there shall be inserted—

“other than section 25”.

3. After sub-paragraph 16(5) there shall be inserted the following sub-paragraph—

“(6) Where directions referred to in sub-paragraph (5) are to the effect that a child be placed in accommodation provided for the purpose of restricting liberty then the directions shall cease to have effect upon the expiry of the maximum period specified by regulations under section 25(2)(a) in relation to children of his description, calculated from 14th October 1991.”

4. In paragraph 16A(1)—

(a) after the number “16A.” there shall be inserted “—(1)”; and

(b) after sub-paragraph (1) there shall be inserted—

“(2) Where immediately before the day on which Part IV commences a child was in the care of a local authority and as the result of an order—

(a) under section 7(2) of the Family Law Reform Act 1969; or

(b) made in the exercise of the High Court’s inherent jurisdiction with respect to children,

continued to be in the care of a local authority and was made a ward of court, he shall on the day on which Part IV commences, cease to be a ward of court.”

5. After paragraph 18 there shall be inserted the following paragraph—

“**18A.**—(1) This paragraph applies to any decision of a local authority to terminate arrangements for access or to refuse to make such arrangements—

(a) of which notice has been given under, and in accordance with, section 12B of the Child Care Act 1980 (termination of access); and

(b) which is in force immediately before the commencement of Part IV.

(2) On and after the commencement of Part IV, a decision to which this paragraph applies shall have effect as a court order made under section 34(4) authorising the local authority to refuse to allow contact between the child and the person to whom notice was given under section 12B of the Child Care Act 1980.”

(1) Paragraph 16A was inserted by paragraph 33(4) of Schedule 16 to the Courts and Legal Services Act 1990 (c. 41).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

6. In paragraph 25(3) for the words “more than six months” there shall be substituted “six months or more”.