



Guardianship of Minors Act 1971

1971 CHAPTER 3

General principles

1 Principle on which questions relating to custody, upbringing etc. of minors are to be decided.

Where in any proceedings before any court (whether or not a court as defined in section 15 of this Act)—

- (a) the [^{F1}legal custody] or upbringing of a minor; or
- (b) the administration of any property belonging to or held on trust for a minor, or the application of the income thereof,

is in question, the court, in deciding that question, shall regard the welfare of the minor as the first and paramount consideration, and shall not take into consideration whether from any other point of view the claim of the father, . . . ^{F2} in respect of such [^{F1}legal custody], upbringing, administration or application is superior to that of the mother, or the claim of the mother is superior to that of the father.

Textual Amendments

F1 Words substituted by [Domestic Proceedings and Magistrates' Courts Act 1978 \(c. 22, SIF 49:3\)](#), s. [36\(1\)\(a\)](#), Sch. 1

F2 Words repealed by [Guardianship Act 1973 \(c. 29, SIF 49:9\)](#), [Sch. 3](#)

Modifications etc. (not altering text)

C1 [S. 1](#) explained by [Children Act 1975 \(c. 72, SIF 49:9\)](#), s. [33\(9\)](#) and [Domestic Proceedings and Magistrates' Courts Act 1978 \(c. 22, SIF 49:3\)](#), s. [15](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Guardianship of Minors Act 1971, Cross Heading: General principles. (See end of Document for details)

Textual Amendments

F3 Ss. 2, 8 repealed by [Guardianship Act 1973 \(c. 29, SIF 49:9\)](#), **Sch. 3**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Guardianship of Minors Act 1971,
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