



# Armed Forces Act 1986 (repealed)

## 1986 CHAPTER 21

### PART II

#### AMENDMENTS OF SERVICES ACTS ETC.

##### *Civilians*

### **13 Change of place of safety and return to United Kingdom of children in need of care or control.**

- (1) Section 14 of the <sup>M1</sup> Armed Forces Act 1981 (temporary removal to and detention in a place of safety abroad of children of service families in need of care or control) shall be amended as follows.
- (2) For subsection (3) (power to order removal of child to place of safety outside United Kingdom) there shall be substituted the following subsection—
  - “(3) If an officer having jurisdiction in relation to a child to whom this section applies thinks fit, he may, on being satisfied on one or more of the grounds specified in subsection (4) below that the child is in need of care or control, order the child to be removed to and detained in a place of safety.”
- (3) After subsection (4) there shall be inserted the following subsection—
  - “(4A) A place of safety in which a child is required to be detained under this section may be situated either in the country or territory where the child resides or elsewhere (including in the United Kingdom); and an officer having jurisdiction in relation to a child detained in a place of safety outside the United Kingdom may make an order (including an order involving the return of the child to the United Kingdom) modifying the order by which the child is detained so as to require the child to be removed to and detained in another place of safety.”
- (4) In subsection (5) (officers having power to make orders)—

---

*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1986 (repealed), Section 13. (See end of Document for details)*

---

- (a) for the words from the beginning to “say” there shall be substituted the words “ The officers having jurisdiction in relation to a child to whom this section applies or a child detained in a place of safety are ”; and
  - (b) in paragraph (b), after the word “resides” there shall be inserted the words “ or, as the case may be, was residing when he was removed to a place of safety ”.
- (5) For subsections (7) to (9) (matters to be specified in order and effect and duration of orders) there shall be substituted the following subsections—
- “(7) An order made by virtue of subsection (3) or (4A) above shall specify the place to safety to which the child is to be removed and shall be sufficient authority for—
- (a) the removal of the child to the place specified in the order;
  - (b) the detention of the child for the purpose of that removal in any other place or on board any ship or aircraft; and
  - (c) the detention of the child in the place so specified in accordance with the order.
- (8) An order made by virtue of subsection (3) above in relation to a child shall specify the period for which it is to have effect, being—
- (a) in a case where the order is made by the commanding officer of the person to whose family the child belongs or with whose family the child resides, a period not exceeding the period of eight days beginning with the date of the order; and
  - (b) in a case where the order is made by an officer superior in command to the commanding officer of either of those persons, a period not exceeding the period of twenty-eight days beginning with that date;
- and, subject to the following provisions of this section, neither that order nor any order under subsection (4A) above modifying that order shall authorise the detention of the child after the end of the specified period.
- (9) Where it at any time appears to an officer having jurisdiction in relation to a child detained by virtue of an order under this section—
- (a) that the period for which the order is to have effect is less than the maximum period applicable under subsection (8) above in relation to an order made by that officer; and
  - (b) that it is appropriate, for any reason, for the effect of the order to be extended or further extended,
- that officer may order the effect of the order to continue until a time no later after the making of the original order than the end of the said maximum period.
- (9A) Where a child is removed under this section to a place of safety in the United Kingdom—
- (a) the order in pursuance of which he is so removed shall not authorise his detention in that place after the end of the period of twenty-four hours beginning with his arrival in that place; but
  - (b) the powers conferred by the Children and Young Persons Act 1933, the Children and Young Persons Act 1969, the Social Work (Scotland) Act 1968 and the Children and Young Persons Act (Northern Ireland) 1968 shall be exercisable in relation to the child as if everything which was relevant to the question under this section whether the child was in need of care or control were relevant, notwithstanding that the child

---

*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1986 (repealed), Section 13. (See end of Document for details)*

---

is or has been detained in a place of safety, to the question whether the conditions for the exercise of any of those powers are satisfied.”

- (6) In subsection (10) (right of parent to make representations before order made), for the words “for the time being” there shall be substituted the words “or, as the case may be, was residing when he was re moved to a place of safety under this section”.

---

**Marginal Citations**

**M1** 1981 c. 55.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Armed Forces Act 1986 (repealed), Section 13.