

SCHEDULES

SCHEDULE 12

MINOR AMENDMENTS

The Child Abduction Act 1984 (c. 37)

- 38 (1) In section 2 of that Act (offence of abduction of child by other persons), in subsection (1) for the words from “Subject” to “above” there shall be substituted “Subject to subsection (3) below, a person, other than one mentioned in subsection (2) below.”
- (2) For subsection (2) of that section there shall be substituted—
- “(2) The persons are—
- (a) where the father and mother of the child in question were married to each other at the time of his birth, the child’s father and mother;
 - (b) where the father and mother of the child in question were not married to each other at the time of his birth, the child’s mother; and
 - (c) any other person mentioned in section 1(2)(c) to (e) above.
- (3) In proceedings against any person for an offence under this section, it shall be a defence for that person to prove—
- (a) where the father and mother of the child in question were not married to each other at the time of his birth—
 - (i) that he is the child’s father; or
 - (ii) that, at the time of the alleged offence, he believed, on reasonable grounds, that he was the child’s father; or
 - (b) that, at the time of the alleged offence, he believed that the child had attained the age of sixteen.”