S C H E D U L E S

SCHEDULE 14

TRANSITIONALS AND SAVINGS

Pending proceedings, etc.

1   (1) **[F1**Subject to sub-paragraphs (1A) and (4)**]**, nothing in any provision of this Act (other than the repeals mentioned in sub-paragraph (2)) shall affect any proceedings which are pending immediately before the commencement of that provision.

[F2(1A) Proceedings pursuant to section 7(2) of the Family Law Reform Act 1969 (committal of wards of court to care of local authority) or in the exercise of the High Court's inherent jurisdiction with respect to children which are pending in relation to a child who has been placed or allowed to remain in the care of a local authority shall not be treated as pending proceedings after 13th October 1992 for the purposes of this Schedule if no final order has been made by that date pursuant to section 7(2) of the 1969 Act or in the exercise of the High Court's inherent jurisdiction in respect of the child's care.**]**

(2) The repeals are those of—

(a)   section 42(3) of the **M1**Matrimonial Causes Act 1973 (declaration by court that party to marriage unfit to have custody of children of family); and

(b)   section 38 of the **M2**Sexual Offences Act 1956 (power of court to divest person of authority over girl or boy in cases of incest).

(3) For the purposes of the following provisions of this Schedule, any reference to an order in force immediately before the commencement of a provision of this Act shall be construed as including a reference to an order made after that commencement in proceedings pending before that commencement.

(4) Sub-paragraph (3) is not to be read as making the order in question have effect from a date earlier than that on which it was made.

(5) An order under section 96(3) may make such provision with respect to the application of the order in relation to proceedings which are pending when the order comes into force as the Lord Chancellor considers appropriate.

Textual Amendments

F1   Words in Sch. 14 para. 1(1) substituted (14.10.1991) by S.I. 1991/828, art. 4, **Sch. para. 1A(1)** (as inserted by S.I. 1991/1990, art. 2(c), **Sch. para. 1**)

F2   Sch. 14 para. 1(1A) inserted (14.10.1991) by S.I. 1991/828, art. 4, **Sch. para. 1A(2)** (as inserted by S.I. 1991/1990, **art. 2(c)**,Sch. para. 1)

Commencement Information

I1   Sch. 14 para. 1 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

Marginal Citations
  M1 1973 c. 18.
  M2 1956 c. 69.

2   Where, immediately before the day on which Part IV comes into force, there was in force an order under section 3(1) of the **M3**Children and Young Persons Act 1963 (order directing a local authority to bring a child or young person before a juvenile court under section 1 of the Children and Young Persons Act 1969), the order shall cease to have effect on that day.

Commencement Information
  I2 Sch. 14 para. 2 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

Marginal Citations
  M3 1963 c. 37.

Status:
Point in time view as at 14/10/1991.

Changes to legislation:
Children Act 1989, Cross Heading: Pending proceedings, etc. is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.