
STATUTORY INSTRUMENTS

1991 No. 1881

CHILDREN AND YOUNG PERSONS

**The Children Act 1989 (Consequential
Amendment of Enactments) Order 1991**

Made - - - - - *5th August 1991*
Laid before Parliament *2nd September 1991*
Coming into force - - - *14th October 1991*

The Lord Chancellor, in exercise of the powers conferred on him by section 108(9) of the Children Act 1989⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Children Act 1989 (Consequential Amendment of Enactments) Order 1991 and shall come into force on 14th October 1991.

Child Benefit Act 1975(2)

2. Section 3(3)(c) of the Child Benefit Act 1975⁽³⁾ (meaning of “person responsible for child”) shall be amended by the insertion after the words “the National Health Service Act 1977” of the words “, the Children Act 1989”.

Mental Health Act 1983(4)

3. Section 26(2) of the Mental Health Act 1983 (Definition of “relative” and “nearest relative”) shall be amended by the substitution, for the words “his mother”, of the following—

- “(a) his mother, and
- (b) if his father has parental responsibility for him within the meaning of section 3 of the Children Act 1989, his father.”.

(1) 1989 c. 41.

(2) 1975 c. 61.

(3) Section 3(3) has been amended by the National Health Service Act 1977 (c. 49), Schedule 15, paragraph 67 and by the National Health Service (Scotland) Act 1978 (c. 29), Schedule 15, paragraph 2.

(4) 1983 c. 20.

Local Government and Housing Act 1989(5)

4. Section 114(6) of the Local Government and Housing Act 1989 (Approval of applications to provide certain facilities for the disabled—meaning of “disabled”) shall be amended by the omission of the word “or” immediately before paragraph (b) and by the insertion after that paragraph of the following: “or

- (c) a person to whom section 17(11) of the Children Act 1989 (disabled children) applies.”.

5th August 1991

Mackay of Clashfern, C.

EXPLANATORY NOTE

(This note is not part of the Rules)

This Order makes amendments to statutory provisions in consequence of the Children Act 1989.

Article 2 amends section 3 of the Child Benefit Act 1975 (meaning of “person responsible for child”) to add a reference to the Children Act 1989 under which, in addition to the enactments already there specified, residential accommodation will be provided for minors.

Article 3 amends section 26 of the Mental Health Act 1983 (Definition of “relative” and “nearest relative”) to include in the definition of “relative” for the purposes of Part II of that Act (Compulsory admission to hospital and guardianship functions of relatives of patients) a father who has acquired parental responsibility for a child although he was not married to the child’s mother at the time of the child’s birth.

Article 4 amends section 114(6) of the Local Government and Housing Act 1989 (Approval of applications to provide, certain facilities for the disabled—meaning of disabled) to include a reference to those persons who are disabled children within the meaning of section 17(11) of the Children Act 1989.