STATUTORY INSTRUMENTS

2016 No. 111

CHILDREN AND YOUNG PERSONS, ENGLAND

The Special Guardianship (Amendment) Regulations 2016

Made - - - -	*2nd February 2016*
Laid before Parliament	*5th February 2016*
Coming into force - -	*29th February 2016*

The Secretary of State for Education makes these Regulations in exercise of the powers conferred by sections 14A(8)(b) and 104(4) of the Children Act 1989(**1**).

Citation, commencement and application

1. These Regulations may be cited as the Special Guardianship (Amendment) Regulations 2016 and come into force on 29 February 2016.

2. These regulations do not apply where, before 29 February 2016—

(a) an individual has given the appropriate local authority written notice of their intention to apply for a special guardianship order in accordance with section 14A(7) of the Children Act 1989, or

(b) a court has asked a local authority to conduct an investigation and prepare a report in accordance with section 14A(9) of the Children Act 1989.

Amendments to the Special Guardianship Regulations 2005

3. The Schedule to the Special Guardianship Regulations (2005)(**2**) (matters to be dealt with in report for the court) is amended in accordance with regulations 4 and 5.

4. In paragraph 1 of the Schedule (matters in respect of the child) —

(a) after sub-paragraph (g) insert:

"(ga) any harm which the child has suffered;

(gb) any risk of future harm to the child posed by the child's parents, relatives or any other person the local authority consider relevant;"

(b) in paragraph (j) after "related" insert "current needs or likely future".

(**1**) 1989 c.41. Section 14A was inserted by section 115 of the Adoption and Children Act 2002 (c.38). For the definition of "prescribed" see section 105 of the Children Act 1989.

(**2**) S.I. 2005/1109 amended by S.I. 2008/1879, 2010/1172, 2013/235, 2013/630 and 2014/2103.