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## SCHEDULES

### SCHEDULE 1 **E+W**

Section 2.

#### [<sup>F1</sup>SOCIAL SERVICES FUNCTIONS]

##### Subordinate Legislation Made

**P1** Sch. 1: power to amend conferred (15.1.2004) by [Children Act 2004 \(c. 31\)](#), **ss. 45(14)(b)**, 46, 47

##### Textual Amendments

**F1** Sch. 1 heading substituted (1.4.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), **ss. 55(2), 67(7)(e)**; S.I. 2005/394, **art. 2(2)(f)**; S.I. 2006/885, **art. 2(f)**

#### Enactment

#### Nature of functions

Children and Young Persons Act 1933 (c. 12)

Part III

Protection of the young in relation to criminal and summary proceedings; children appearing before court as in need of care, protection or control; committal of children to approved school or care of fit person, etc.

Part IV

Remand homes, approved schools and children in care of fit persons.

...

**F2**

...

**F2**

...

**F2**

National Assistance Act 1948 (c. 29)

Sections 21 to 27

Provision of residential accommodation for the aged, infirm, needy, etc.

Sections 29 and 30

Welfare of persons who are blind, deaf, dumb or otherwise handicapped or are suffering from mental disorder; use of voluntary organisations for administration of welfare schemes.

...

**F3**

...

**F3**

[<sup>F4</sup>Section ] 45

Recovery of costs of providing certain services.

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Section 48	Temporary protection of property belonging to persons in hospital or accommodation provided under Part III of the Act, etc.
Section 49	Defraying expenses of local authority officer applying for appointment as [ <sup>F5</sup> deputy] for certain patients.
. . . F6	. . . F6
Section 56(3) except so far as it relates to an offence under section 47(11).	Prosecution of offences.
. . . F7	. . . F7
. . . F8	. . . F8
F9	F9
. . .	. . .
Disabled Persons (Employment) Act 1958 (c. 33)	
Section 3	Provision of facilities for enabling disabled persons to be employed or work under special conditions.
. . . F10	. . . F10
. . . F11	. . . F11
Mental Health Act 1959 (c. 72) [ <sup>F12</sup> section 8]. . . .	[ <sup>F13</sup> Welfare and accommodation of mentally disordered persons]
. . . F14	
. . . F15	
. . . F15	
[ <sup>F16</sup> Mental Health (Scotland) Act 1984]	
Section 10	Welfare of certain persons while in hospital in Scotland.
Health Visiting and Social Work (Training) Act 1962 (c. 33)	
Section 5(1)(b), and as extended by section 45(9) of the Health Services and Public Health Act 1968 (c. 46).	Research into matters relating to local authority welfare services.
Children and Young Persons Act 1963 (c. 37)	

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Part I	...
	F17
	powers relating to young persons in need of care, protection or control; further provisions for protection of the young in relation to criminal proceedings; . . .
	F17
	.
...	...
F18	F18
...	...
F19	F19
...	...
F20	F20
...	...
F20	F20
Health Services and Public Health Act 1968 (c. 46)	
...	...
F21	F21
...	...
F21	F21
Section 45	Promotion of welfare of old people.
Social Work (Scotland) Act 1968 (c. 49)	
Sections 75(2) and 76(4)	Reference for consideration, etc. of case of child in care whose parent moves to Scotland and transfer of child.
F22	
...	
F22	F22
...	...
Children and Young Persons Act 1969 (c. 54)	
The whole Act	Care and other treatment of children and young persons through court proceedings; . . .
F23	F24
...	F25
F23	F25
...	...
F23	
....	
Chronically Sick and Disabled Persons Act 1970 (c. 44)	

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Section 1	Obtaining information as to need for, and publishing information as to existence of, certain welfare services.
Section 2	Provision of certain welfare services.
Section 18	Provision of certain information required by Secretary of State.
<sup>F26</sup> Sections 6 and 7B of this Act]	<sup>F26</sup> Appointment of [ <sup>F27</sup> director of adult social services or ] director of social services, etc ; provision and conduct of complaints procedure. ]
<sup>F28</sup> . . . ]	<sup>F28</sup> . . . ]
<sup>F29</sup> Children Act 1975 (c.72)]	
. . .	. . .
F30	F30
<sup>F29</sup> Part II]	<sup>F29</sup> Application by local authority for revocation of custodianship order; inquiries carried out by local authority in custodianship cases.]
<sup>F31</sup> Adoption Act 1976	Functions continuing to be exercisable by virtue of any transitional or saving provision made by or under the Adoption and Children Act 2002.]
F32	F32
.....	.....
<sup>F33</sup> Supplementary Benefits Act 1976, Schedule 5]	<sup>F33</sup> Provision and maintenance of [ <sup>F34</sup> resettlement units]for persons without a settled way of living.]
. . .	. . .
F35	F35
<sup>F36</sup> National Health Service Act 1977, Schedule 8]	<sup>F36</sup> Care of mothers and young children, prevention, care and after-care: home help and laundry facilities.]
<sup>F37</sup> . . . ]	<sup>F37</sup> . . . ]
<sup>F38</sup> . . . ]	<sup>F38</sup> . . . ]
<sup>F39</sup> . . . ]	<sup>F39</sup> . . . ]
. . .	. . .
F40	F40
. . .	. . .
F41	F41

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[ <sup>F42</sup> Mental Health Act 1983 (c. 20)]	
[ <sup>F42</sup> Parts II, III and VI]	[ <sup>F42</sup> Welfare of the mentally disordered; guardianship of persons suffering from mental disorder including such persons removed to England and Wales from Scotland or Northern Ireland; exercise of functions of nearest relative of person so suffering.]
[ <sup>F42</sup> Sections 66, 67, 69(1)]	[ <sup>F42</sup> Exercise of functions of nearest relative in relation to applications and references to [ <sup>F43</sup> the First-tier Tribunal or the Mental Health Review Tribunal for Wales] .]
[ <sup>F42</sup> Section 114]	[ <sup>F42</sup> Appointment of [ <sup>F44</sup> approved mental health professionals] .]
[ <sup>F42</sup> Section 115]	[ <sup>F42</sup> Entry and inspection.]
[ <sup>F42</sup> Section 116]	[ <sup>F42</sup> Welfare of certain hospital patients.]
[ <sup>F42</sup> Section 117]	[ <sup>F42</sup> After-care of detained patients.]
[ <sup>F42</sup> Section 130]	[ <sup>F42</sup> Prosecutions.]
[ <sup>F45</sup> Health and Social Services and Social Security Adjudications Act 1983 (c. 41) Section 17, so far as relating to services provided under the enactments mentioned in subsection (2)(a) to (c)]	[ <sup>F45</sup> Charges for local authority welfare services]
[ <sup>F46</sup> Public Health (Control of Disease) Act 1984 (c. 22)]	
[ <sup>F46</sup> Section 46(2) and (5)]	[ <sup>F46</sup> Burial or cremation of person dying in accommodation provided under Part III of the National Assistance Act 1948, and recovery of expenses from his estate.]
F47	F47
...	...
[ <sup>F48</sup> Housing Act 1996 Section 213(1)(b)]	Co-operation in relation to homeless persons and persons threatened with homelessness.]
[ <sup>F49</sup> Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)]	
[ <sup>F50</sup> Sections 1 to 4, 5(5), 7 and 8].	[ <sup>F49</sup> Representation and assessment of disabled persons.]
[ <sup>F51</sup> Housing (Scotland) Act 1987 (c. 26) section 38(b)]	[ <sup>F51</sup> Co-operation in relation to homeless persons and persons threatened with homelessness.]
[ <sup>F52</sup> Children Act 1989, The whole Act [ <sup>F53</sup> except section 36 and paragraphs 12 to 19(1) of Schedule 3 (education supervision	[ <sup>F52</sup> Welfare reports.]

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orders)], in so far as it confers functions on a local authority within the meaning of that Act.]

[<sup>F52</sup>Consent to application for residence order in respect of child in care.]

[<sup>F54</sup>Functions relating to special guardianship orders]

[<sup>F52</sup>Family assistance orders.]

[<sup>F52</sup>Functions under Part III of the Act (local authority support for children and families).]

[<sup>F52</sup>Care and supervision.]

[<sup>F52</sup>Protection of children.]

[<sup>F52</sup>Functions in relation to community homes, voluntary homes and voluntary organisations, [<sup>F55</sup>private] children's homes, private arrangements for fostering children, child minding and day care for young children.]

[<sup>F52</sup>Inspection of children's homes on behalf of Secretary of State.]

[<sup>F52</sup>Research and returns of information.]

[<sup>F52</sup>Functions in relation to children accommodated by [<sup>F56</sup>Local Health Boards][<sup>F57</sup>, Primary Care Trusts,][<sup>F58</sup>National Health Service trusts][<sup>F59</sup>and local authorities in the exercise of education functions] or in [<sup>F55</sup>care homes, independent hospitals or schools].]

[<sup>F60</sup>National Health Service and Community Care Act 1990 (c. 19)]

[<sup>F60</sup> Section 46 ]

[<sup>F60</sup>Preparation of plans for community care services.]

[<sup>F60</sup>Section 47]

[<sup>F60</sup>Assessment of needs for community care services.]

F61

F61

...

...

[  
F62

Section 166.]

[<sup>F63</sup>Carers (Recognition and Services) Act 1995 (c.12)]

[<sup>F63</sup>Section 1

Assessment of ability of carers to provide care.]

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[ <sup>F64</sup> Education Act 1996.]	
[ <sup>F64</sup> Section 322.....]	[ <sup>F64</sup> Help for [ <sup>F65</sup> another local authority] in exercising functions under Part IV of the Act.]
[ <sup>F66</sup> Community Care (Direct Payments) Act 1996.]	Functions in connection with the making of payments to persons in respect of their securing the provision of community care services[ <sup>F67</sup> or services under the Carers and Disabled Children Act 2000].
[ <sup>F68</sup> Adoption (Intercountry Aspects) Act 1999 (c.18) [ <sup>F69</sup> Sections 1 and] 2(4)	Functions under [ <sup>F70</sup> regulations made under section 1 giving effect to] the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, concluded at the Hague on 29th May 1993 [ <sup>F71</sup> and functions under Article 9(a) to (c) of the Convention] .]
[ <sup>F72</sup> Carers and Disabled Children Act 2000 (c. 16) The whole Act, in so far as it confers functions on a local authority within the meaning of that Act.]	[ <sup>F72</sup> Assessment of carers' needs. Provision of services to carers. Provision of vouchers.]
[ <sup>F73</sup> Health and Social Care Act 2001 Part 4 in so far as it confers functions on a local authority in England or Wales within the meaning of that Part.	Functions in relation to the provision of residential accommodation.  Making of direct payments to person in respect of his securing provision of community care services or services to carers.]
[ <sup>F74</sup> Adoption and Children Act 2002	Maintenance of Adoption Service; functions of local authority as adoption agency.]
[ <sup>F75</sup> Community Care (Delayed Discharges etc. ) Act 2003 Part 1.....]	Functions relating to hospital patients likely to need community care services to be made available in order to be discharged safely.]
[ <sup>F76</sup> Carers (Equal Opportunities) Act 2004 Section 3, in so far as it confers functions on a local authority within the meaning of that section.	Co-operation between authorities]
[ <sup>F77</sup> Children Act 2004 Sections[ <sup>F78</sup> 9A,] 13 to 16 and 31 to 34	Functions relating to[ <sup>F79</sup> targets for safeguarding and promoting the welfare

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	of children, and to] Local Safeguarding Children Boards.]
[ <sup>F80</sup> Mental Capacity Act 2005	
Section 39	Instructing independent mental capacity advocate before providing accommodation for person lacking capacity
[ <sup>F81</sup> Section 39A	Instructing independent mental capacity advocate when giving an urgent authorisation, or making a request for a standard authorisation, under Schedule A1 to the Act.
Section 39C	Instructing independent mental capacity advocate when no representative for relevant person under Part 10 of Schedule A1 to the Act.
Section 39D	Instructing independent mental capacity advocate when representative for relevant person under Part 10 of Schedule A1 to the Act is not being paid.]
Section 49	Reports in proceedings]
[ <sup>F81</sup> Schedule A1	Any functions.]
[ <sup>F82</sup> Children and Young Persons Act 2008	
Part 1, in so far as it confers functions on a local authority in England or Wales within the meaning of that Part.....	Making arrangements for the discharge of relevant care functions in relation to certain children and young persons.]

### Textual Amendments

- F2** Entry relating to National Health Service Act 1977 substituted in the appropriate chronological order for entry relating to National Health Service Act 1946 by [National Health Service Act 1977 \(c. 49, SIF 113:2\)](#), **Sch. 15 para. 51**
- F3** Sch. 1: entry repealed (1.9.1992) by [Charities Act 1992 \(c. 41\)](#), s. 78(2), **Sch. 7**; S.I. 1992/1900, art. 2, **Sch. 1**, Appendix.
- F4** Word in Sch. 1 substituted (6.4.2009 except in relation to local authorities in W., otherwise 6.4.2009 for W.) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 147(5), 170(3), 170(4) (with Sch. 13); S.I. 2009/462, art. 4(a); S.I. 2009/631, art. 2(a)
- F5** Sch. 1: word in entry substituted (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(1), 68(1), **Sch. 6 para. 16(2)**; S.I. 2007/1897, art. 2
- F6** Words repealed by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, **Sch. 3**
- F7** Entry repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), **Sch. 1 Pt. XII**
- F8** Entry repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, **Sch. 6**
- F9** Sch. 1: entry repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. VIII**
- F10** Entry repealed by [Foster Children Act 1980 \(c. 6\)](#), s. 23(3), **Sch. 3**
- F11** Entry repealed by [Adoption Act 1976 \(c. 36, SIF 49:11\)](#), s. 74(2), Schs. 2, 4
- F12** Words in Schedule 1 in entry relating to the [Mental Health Act 1959](#) substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5), **Sch. 13 para. 26(1)(a)**; S.I. 1991/828, art. 3(2)
- F13** Entry substituted by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148, **Sch. 4 para. 27(a)**



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- F14** Words repealed by Education (Handicapped Children) Act 1970 (c. 52), **Sch.** and National Health Service Reorganisation Act 1973 (c. 32), s. 57, **Sch. 5**
- F15** Entry repealed by Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22, SIF 49:3), Sch. 2 para. 27, **Sch. 3** (subject to savings in Sch. 1)
- F16** Words substituted by Mental Health (Scotland) Act 1984 (c. 36, SIF 85), s. 127, **Sch. 3 para. 18**
- F17** Words repealed by Child Care Act 1980 (c. 5), s. 89, **Sch. 6**
- F18** Entry repealed by Child Care Act 1980 (c. 5), s. 89, **Sch. 6**
- F19** Words repealed by Matrimonial Causes Act 1973 (c. 18), Sch. 2 para. 11, **Sch. 3**
- F20** Entry repealed by Supplementary Benefits Act 1976 (c. 71, SIF 113:1), s. 35(2)(3), Sch. 7 para. 18, **Sch. 8 Pt. 1**
- F21** Words repealed by National Health Service Act 1977 (c. 49, SIF 113:2), s. 129, **Sch. 16**
- F22** Sch. 1: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c.14), s. 1(1), {Sch. 1Pt. 10 Group 3}
- F23** Words in Sch. 1 omitted (5.5.2010) by virtue of The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 25(2)**
- F24** Words repealed by Child Care Act 1980 (c. 5), s. 89, **Sch. 6**
- F25** Words in Sch. 1 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F26** Entry in Sch. 1 commencing "Sections 6 and 7B" substituted (1.4.1991) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(1), **Sch. 9 para. 11(b)**
- F27** Sch. 1: words in entry inserted (1.4.2005 for E.) by Children Act 2004 (c. 31), ss. 18, 67(2), **Sch. 2 para. 2(3)**; S.I. 2005/394, **art. 2(2)(b)**
- F28** Entry in Sch. 1 which was added by Matrimonial Causes Act 1973 (c. 18), **Sch. 2 para. 11** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F29** Entries added by Children Act 1975 (c. 72, SIF 49:9, 10), s. 108(1)(a), Sch. 3 para. 74(b)
- F30** Paragraph relating to Pt. I of Children Act 1975 (c. 72, SIF 49: 9, 10) repealed by Adoption Act 1976 (c. 36, SIF 49:11), s. 74(2) **Schs. 2, 4**
- F31** Entry in Sch. 1 inserted (11.7.2006) by Childcare Act 2006 (c. 21), s. 103(1), **Sch. 2 para. 1**
- F32** Entry in Sch. 1 repealed (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139(2)(3), 148, Sch. 3 para. 14(a), **Sch. 5** (with Sch. 4 para. 6-8); S.I. 2005/2213, **art. 2(o)**; S.I. 2005/2897, **art. 2(b)**
- F33** Entry added by Supplementary Benefits Act 1976 (c. 71, SIF 113:1), **Sch. 7 para. 18**
- F34** Words substituted by Social Security Act 1980 (c. 39, SIF 113:1), **Sch. 4 para. 6**
- F35** Entry added by Housing (Homeless Persons) Act 1977 (c. 48), s. 20(2) and repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I
- F36** Entry added by virtue of a substitution by National Health Service Act 1977 (c. 49, SIF 113:2), **Sch. 15 para. 51**
- F37** Entry in Sch. 1 added by Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22, SIF 49: 3), **Sch. 2 para. 27** (subject to savings in Sch. 1) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F38** Entry in Sch. 1 added by Child Care Act 1980 (c. 5, SIF 20), **Sch. 5 para. 29** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F39** Entry in Sch. 1 added by Foster Children Act 1980 (c. 6, SIF 20), **Sch. 2** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F40** Entry added by Residential Homes Act 1980 (c. 7), **Sch. 1 para. 4**, and fell by virtue of the repeal of that 1980 Act by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 30(1), **Sch. 10 Pt. I**
- F41** Entry added by Mental Health Amendment Act 1982 (c. 51, SIF 20), **Sch. 3 para. 45** and repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 4 para. 27(c)**, Sch. 6
- F42** Entry inserted by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 4 para. 27(b)**
- F43** Sch. 1: words in entry relating to the Mental Health Act 1983 substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), **art. 6**, {Sch. 3 para. 27};
- F44** Sch. 1: words in entry relating to s. 114 of the Mental Health Act 1983 substituted (3.11.2008) by The Mental Health Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/2828), **art. 3**

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- F45** Sch. 1: entry inserted (1.7.2001 for W. and 4.10.2001 for E.) by 2000 c. 14, s. 112; S.I. 2001/2190, art. 2, **Sch.** and S.I. 2001/3331, **art. 2**
- F46** Words inserted by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, **Sch. 2 para. 6**
- F47** Sch. 1: entry repealed (1.4.2002) by 2000 c. 14, s. 117(2), Sch. 6; S.I. 2001/4150, art. 3(3)(c) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, **art. 3(3)(g)** (with savings in art. 3(5)-(10) and subject to transitional provisions in Schs. 1-3)
- F48** Sch. 1: entry substituted (20.1.1997) by 1996 c. 52, s. 216(3), **Sch. 17 para. 1**; S.I. 1996/2959, **art. 2**
- F49** Sch. 1: entry added (26.10.2000 for E. and 28.7.2001 for W.) by 2000 c. 22, ss. 107, 108(5)-(7), **Sch. 5 para. 7**; S.I. 2000/2849, **art. 2(f)**
- F50** Words in Sch. 1 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 25(3)**
- F51** Words inserted by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 339(2), **Sch. 23 para. 16**
- F52** Words in Sch. 1 added (14.10.1991) at the end of Sch. 1 by Children Act 1989 (c. 41, SIF 20), s. 108(5), **Sch. 13 para. 26(2)**; S.I. 1991/828, **art. 3(2)**
- F53** Words in Sch. 1 inserted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 25(4)(a)**
- F54** Words in Sch. 1 inserted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(b)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F55** Sch. 1: words in entry substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 4; S.I. 2001/4150, art. 3(3)(a) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, **art. 3(3)(d)** (with savings in art. 3(4)-(10) and subject to transitional provisions in Schs. 1-3)
- F56** Sch. 1: words in entry substituted (1.4.2007) by The References to Health Authorities Order 2007 (S.I. 2007/961), art. 3, **Sch. para. 7**
- F57** Words in Sch. 1 inserted (1.10.2002) by The National Health Service Reform and Health Care Professions Act 2002 (Supplementary, Consequential etc. Provisions) Regulations 2002 (S.I. 2002/2469), reg. 4, **Sch. 1 para. 6**
- F58** Words inserted (1.4.1993) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(1), **Sch. 9 para. 11(a)**; S.I. 1992/2975, art. 2(2), **Sch.**
- F59** Words in Sch. 1 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 25(4)(b)**
- F60** Words inserted (1.4.1993 except so far as they relate to s. 46 of the 1990 Act which came into force on 1.4.1991 by S.I. 1990/2218, art. 2, **Sch.**) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(1), **Sch. 9 para. 11(c)**; S.I. 1992/2975, art. 2(2), **Sch.**
- F61** Sch. 1: entry repealed (1.11.1996) by 1996 c. 56, ss. 582(1)(2), 583(2), Sch. 37 Pt. I, para. 18, **Sch. 38 Pt. I** (with s. 1(4), Sch. 39)
- F62** Sch. 1: entry added (1.9.1994) by 1993 c. 35, s. 307(1), **Sch. 19 para. 44**; S.I. 1994/2038, art. 3, **Sch. 2**
- F63** Sch. 1: entries inserted (1.4.1996) by 1995 c. 12, ss. 1(7), 5(2)
- F64** Sch. 1: entries added (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I**, para. 18 (with s. 1(4), Sch. 39)
- F65** Words in Sch. 1 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 25(5)**
- F66** Sch. 1: entry added (1.4.1997) by 1996 c. 30, s. 3(3); S.I. 1997/756, **art. 2**
- F67** Sch. 1: words inserted in entry (1.4.2001 for E. for certain purposes and 1.7.2001 for W. for certain purposes and 30.4.2003 for E. in so far as not already in force and otherwise prosp.) by 2000 c. 16, ss. 9(a), 12; S.I. 2001/510, art. 2, **Sch.**; S.I. 2001/2196, art. 2, **Sch.**; S.I. 2003/1183, **art. 2**
- F68** Entry in Sch. 1 inserted (1.6.2003) by Adoption (Intercountry Aspects) Act 1999 (c. 18), ss. 15(1), 18(3), **Sch. 2 para. 1**; S.I. 2003/189, **art. 2(2)(h)**
- F69** Words in Sch. 1 substituted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(i)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F70** Words in Sch. 1 substituted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(ii)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F71** Words in Sch. 1 inserted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(ii)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**

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- F72** Sch. 1: entry inserted (1.4.2001 for E. for certain purposes and 1.7.2001 for W. for certain purposes and 1.4.2003 for E. in so far as not already in force and otherwise prosp.) by 2000 c. 16, ss. 9(b), 12, S.I. 2001/510, art. 2, Sch. and S.I. 2001/2196, art. 2, Sch.; S.I. 2003/1183, **art. 2**
- F73** Sch. 1: entry inserted (22.10.2001 for certain purposes for E. and 8.4.2003 in so far as not already in force for E. and 1.11.2004 for certain purposes for W. and otherwise prosp.) by 2001 c. 15, ss. 67(1), 70(2), Sch. 5 Pt. 2 para. 15(3) (with ss. 64(9), 65(4)); S.I. 2001/3619, art. 3(1); S.I. 2003/850, **art. 3(2)(c)**; S.I. 2004/1754, **art. 2(2)(d)(ii)**
- F74** Sch. 1: entry inserted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(ii)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F75** Sch. 1: entry inserted (1.10.2003 for E. and otherwise prosp.) by Community Care (Delayed Discharges etc.) Act 2003 (c. 5), **ss. 13, 20(2)**; S.I. 2003/2280, **art. 2(2)(b)**
- F76** Entry in Sch. 1 inserted (1.4.2005 for E. and 18.4.2005 for W.) by Carers (Equal Opportunities) Act 2004 (c. 15), **ss. 4, 56(7)**; S.I. 2005/876, **art. 2**; S.I. 2005/1153, **art. 2**
- F77** Entry in Sch. 1 inserted (1.4.2006 for certain purposes for E. and 1.10.2006 for W. and otherwise prosp.) by Children Act 2004 (c. 31), **ss. 56, 67(7)(e)**; S.I. 2006/927, **art. 2(h)**; S.I. 2006/885, **art. 2(4)(g)**
- F78** Word in Sch. 1 inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 195(3)(a), 269(4)**; S.I. 2009/3317, art. 2, Sch.
- F79** Words in Sch. 1 inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 195(3)(b), 269(4)**; S.I. 2009/3317, art. 2, Sch.
- F80** Sch. 1: entry inserted (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(1), 68(1), **Sch. 6 para. 16(3)**; S.I. 2007/1897, **art. 2**
- F81** Words in Sch. 1 inserted (1.4.2009) by Mental Health Act 2007 (c. 12), s. 56(1), **Sch. 9 para. 13** (with s. 50(8)-(13)); S.I. 2009/139, art. 2(e)
- F82** Words in Sch. 1 inserted (16.2.2009 for E.) by Children and Young Persons Act 2008 (c. 23), **ss. 5, 44(4)** (with s. 6); S.I. 2009/323, art. 2(b)

**Modifications etc. (not altering text)**

- C1** Sch. 1: entry excluded (9.7.2003) by The Community Care Plans (Disapplication) (England) Order 2003 (S.I. 2003/1716), **art. 2(b)**

SCHEDULE 2 **E+W**

Section 14.

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

*The Children and Young Persons Act 1933 (c. 12)*

- 1 In section 96(7) of the Children and Young Persons Act 1933 (which provides that subject to the provisions of section 39 of the <sup>M1</sup>Children Act 1948 a local authority may refer certain matters to committees) for the words from “section thirty-nine” to “that committee” there shall be substituted the words “sections 2 and 3 of the Local Authority Social Services Act 1970 (which require certain matters to be referred to the social services committee and restrict the reference of other matters to that committee).”

**Modifications etc. (not altering text)**

- C2** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Marginal Citations**

M1 1948 c. 43.

2—4 ..... F83

**Textual Amendments**

F83 Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by Local Government Act 1972 (c. 70), Sch. 30

5 ..... F84

**Textual Amendments**

F84 Sch. 2 paras. 5, 11 repealed by Child Care Act 1980 (c. 5), s. 89, Sch. 6

F85 6 .....

**Textual Amendments**

F85 Sch. 2 para. 6 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.VIII

7 ..... F86

**Textual Amendments**

F86 Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by Local Government Act 1972 (c. 70), Sch. 30

8 In section 60(2) of the said Act of 1958 (provision to be made by regulations for the payment of compensation in certain cases) after the words “section 46 of the M<sup>2</sup>Children and Young Persons Act 1969” there shall be inserted the words “or of section 2 or 6 of the Local Authority Social Services Act 1970”.

**Modifications etc. (not altering text)**

C3 The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

M2 1969 c. 54.

9 ..... F87

**Textual Amendments**

F87 Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by Local Government Act 1972 (c. 70), Sch. 30

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*The Children and Young Persons Act 1963 (c. 37)*

- 10 In section 56(2) of the Children and Young Persons Act 1963 (prosecution of certain Offences) for the words “subsection (2) of section 39 of the Children Act 1948” there shall be substituted the words “subsection (1) of section 3 of the Local Authority Social Services Act 1970” and for the words “those sections” there shall be substituted the words “the said section 85 and section 2 of the said Act of 1970”.

**Modifications etc. (not altering text)**

- C4** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

11 ..... **F88**

**Textual Amendments**

- F88** Sch. 2 paras. 5, 11 repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, [Sch. 6](#)

*The Chronically Sick and Disabled Persons Act 1970 (c. 44)*

- 12 (1) In section 2(1) of the Chronically Sick and Disabled Persons Act 1970 (which imposes a duty on local authorities to make arrangements for certain matters in exercise of their functions under section 29 of the National Assistance Act 1948) the words “under the general guidance of the Secretary of State and” shall be omitted, and after the words “the purpose)” there shall be inserted the words “and to the provisions of section 7(1) of the Local Authority Social Services Act 1970 (which requires local authorities in the exercise of certain functions, including functions under the said section 29, to act under the general guidance of the Secretary of State)”.
- (2) In section 2(2) of the said Act of 1970 (which makes provision in connection with the carrying into effect of the said arrangements) after the words “section 35(2)” there shall be inserted the words “and to the said section 7(1)”.

**Modifications etc. (not altering text)**

- C5** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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## SCHEDULE 3 E+W

Section 14.

### REPEALS

#### Modifications etc. (not altering text)

- C6** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### REPEALS

Chapter	Short title	Extent of repeal
11 & 12 Geo. 6. c. 29.	The National Assistance Act 1948.	Section 33(2). In section 35(2), the words “under the general guidance of the Minister and”. Schedule 3.
11 & 12 Geo. 6. c. 43.	The Children Act 1948.	Sections 39 to 42. In Schedule 3, the entry relating to section 96(7) of the Children and Young Persons Act 1933.
6 & 7 Eliz. 2. c. 33.	The Disabled Persons (Employment) Act 1958.	In section 3(3), the words from “and subject” onwards. In the Schedule, paragraph 2 and in paragraph 3(3) the words from “and in particular” to “three”.



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Chapter	Short title	Extent of repeal
6 & 7 Eliz. 2. c. 55.	The Local Government Act 1958.	In section 46, in subsection (1), paragraphs (b), (c) and (e) and the words from “and, subject” onwards, subsections (2) and (3) and in subsection (4), the words from “or Part I” to “1948”. Section 47, except subsections (1), (2), (6) and (7) as applied by section 48(1) of that Act, and subsections (5) and (8) as applied by section 52(2) thereof, and in subsection (2) the words from “(except” to “section)”. In section 48, in subsection (1), the words from “subject” onwards. In section 50, in subsection (1), the words from “or the amendment” to “1948” and the words from “or for the amendment” onwards and, in subsection (2), the words “or varying or revoking schemes”, the words “or a scheme”, the words “or fails” and the words “or scheme”. Section 51.
7 & 8 Eliz. 2. c. 5.	The Adoption Act 1958.	In Schedule 4, the entry relating to section 39 of the Children Act 1948.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In Schedule 7, Part II, the entry relating to the Children Act 1948.
8 & 9 Eliz. 2. c. 48.	The Matrimonial Proceedings (Magistrates’ Courts) Act 1960.	Section 3(7).
8 & 9 Eliz. 2. c. 61.	The Mental Health (Scotland) Act 1960.	In Schedule 4, the entry relating to section 39 of the Children Act 1948.
1963 c. 33.	The London Government Act 1963.	In section 3(2)(d), the words “47(3) and”. In section 47(2), the words from “and, without” onwards.
1963 c. 37.	The Children and Young Persons Act 1963.	In Schedule 3, paragraph 41.
1965 c. 72.	The Matrimonial Causes Act 1965.	Section 37(3).

Chapter	Short title	Extent of repeal
1968 c. 46.	The Health Services and Public Health Act 1968.	In section 45, in subsection (5)(b), the words from “and Parts I” to “1(1)” and subsections (6), (7) and (8). Section 68. In Schedule 3, Part I, in the entry relating to the Disabled Persons (Employment) Act 1958, the second paragraph and in the entry relating to the Local Government Act 1958, paragraph (a), in paragraph (b) the words from “(e)” to “1968”, where next occurring, and paragraph (c).
1969 c. 46.	The Family Law Reform Act 1969.	In section 7(4), the words “and (3)”.
1969 c. 54.	The Children and Young Persons Act 1969.	In Schedule 5, paragraph 18.

**Status:**

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