
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Youth Justice Board for England and
Wales (Amendment of Functions) Order 2014**

Amendments to the Youth Justice Board for England and Wales Order 2000

- 3.**—(1) The Youth Justice Board for England and Wales Order 2000(1) is amended as follows.
- (2) In article 2 (interpretation) after the definition of “the 2003 Act” insert—
- ““directly managed young offender institution” means a young offender institution, or part of a young offender institution, in respect of which a contract under section 84 of the 1991 Act(2) (contracting out) is not for the time being in force;
- “directly managed secure training centre” means a secure training centre, or part of a secure training centre, in respect of which a contract under section 7 of the 1994 Act(3) (contracting out) is not for the time being in force.”
- (3) In article 4(2) (functions of the Youth Justice Board for England and Wales)—
- (a) in sub-paragraph (o)—
- (i) before paragraph (i) insert—
- “(ai) rule 5 of the Secure Training Centre Rules 1998(4) (temporary release of trainees);” and
- (ii) in paragraph (i) for “the Secure Training Centre Rules 1998” substitute “those Rules”; and
- (b) after sub-paragraph (p) insert—
- “(pa) the functions conferred on the Secretary of State by section 4(1) of the 1952 Act (general duties of the Secretary of State)(5) of making the contracts and doing the other acts necessary for the provision of education to persons aged under 18 detained in directly managed young offender institutions, and any functions exercisable by the Secretary of State in relation to such contracts and acts, including the procurement of, and the making of payments under, such contracts;”.
- (4) After article 4 insert—

“Modification of section 49(4) of the 1952 Act

5. In its application to a trainee temporarily released from a secure training centre who is recalled by the Youth Justice Board (by virtue of article 4(2)(o)(ai) of this Order), section 49(4)

(1) [S.I. 2000/1160](#). This S.I. has been amended by [S.I. 2008/3155](#).

(2) Criminal Justice Act 1991 (c. 53). Section 84 has been substituted by section 94 of the Criminal Justice and Public Order Act 1994 (c. 33).

(3) Criminal Justice and Public Order Act 1994 (c.33).

(4) [S.I. 1998/472](#), to which there are amendments not relevant to this Order.

(5) Prison Act 1952 (c.52). Section 4(1) has been amended by [S.I. 1963/597](#). Section 4(1) applies to young offender institutions by virtue of section 43(5) of the 1952 Act.

of the 1952 Act⁽⁶⁾ (persons unlawfully at large) applies as if for “Secretary of State” there were substituted “Youth Justice Board”.

(6) Section 49(4) has been amended by [S.I. 1963/597](#).