

SCHEDULES

SCHEDULE 1

Section 5.

SUPERVISION ORDERS

Contents and duration of supervision orders

- 1 Subject to the provisions of this Schedule, a supervision order may contain such provisions as the court, having regard to the particular circumstances of the case, considers necessary for effecting the purpose of the order.
- 2 A supervision order shall cease to have effect when the person placed under supervision attains the age of eighteen.

Discharge and amendment

- 3 (1) A juvenile court may, upon the application of the person under supervision, or of the person under whose supervision he is, discharge the supervision order.
(2) Without prejudice to its power under the preceding sub-paragraph, where an order is in force committing the person under supervision to the care of a fit person, the juvenile court may discharge the supervision order on the application of that person or, where the other order is revoked, without any application.
- 4 (1) Subject to sub-paragraph (2) of this paragraph, if a juvenile court is satisfied that a person under supervision proposes to change, or has changed, his residence to another petty sessions area, the court may, and if an application in that behalf is made by the person under whose supervision he is shall, by order amend the supervision order by substituting for the petty sessions area named therein (or, as the case may be, by inserting therein) the petty sessions area where the person under supervision proposes to reside or is residing.
(2) If the supervision order contains requirements which, in the opinion of the court, cannot be complied with unless the person under supervision continues to reside in the same petty sessions area, the court shall not amend the order as aforesaid unless, in accordance with the following provisions of this Schedule, it cancels those requirements or substitutes therefor other requirements which can be so complied with.
- 5 (1) Subject to sub-paragraph (2) of this paragraph, a juvenile court may, on the application of any person, by order amend a supervision order—
 - (a) by substituting for the supervision of a probation officer supervision by a person appointed for the purpose by the court; or
 - (b) by substituting for the supervision of a person appointed for the purpose by the court supervision by some other person so appointed or supervision by a probation officer; or
 - (c) by cancelling any of the requirements of the order or by inserting therein (either in addition to or in substitution for any such requirement) any

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requirement which could be included in the order if it were then being made by the court.

- (2) A court shall not amend a supervision order under this paragraph—
- (a) by reducing the period of supervision specified in the order, or by extending that period beyond the end of three years from the date of the original order ; or
 - (b) by inserting therein a requirement that the person under supervision shall submit to treatment for his mental condition unless the amending order is made within three months after the date of the original order.
- 6 (1) Where an application for the discharge or amendment of a supervision order made in respect of any person is made by the person under whose supervision he is, the applicant may, for the purpose of the application, bring the person under supervision before the court.
- (2) Where a court proposes to amend a supervision order by imposing a requirement that the person under supervision shall reside in an institution or submit to treatment for his mental condition the court shall summon the person under supervision to appear before the court.

Requirements as to residence and treatment

- 7 A supervision order may not contain any requirement as to the place of residence of the person placed under supervision or as to treatment for his mental condition unless he either is under the age of fourteen or consents to the requirement.
- 8 The period for which a person may be required by a supervision order to reside in an approved probation hostel, an approved probation home or any other institution or to submit to treatment for his mental condition shall not exceed twelve months.
- 9 A supervision order requiring the person under supervision to submit to treatment for his mental condition shall specify one of the following as the treatment required, that is to say—
- (a) treatment as a resident patient in a hospital or mental nursing home within the meaning of the Mental Health Act 1959, but not in a special hospital within the meaning of that Act;
 - (b) treatment as a non-resident patient at an institution or place specified in the order ; or
 - (c) treatment by or under the direction of a fully registered medical practitioner specified in the order.
- 10 Where a medical practitioner by whom or under whose direction a person (in this paragraph referred to as " the patient") is being treated for his mental condition in pursuance of any requirement of a supervision order is of opinion—
- (a) that the treatment should be continued beyond the period specified in that behalf in the order; or
 - (b) that the patient needs different treatment; or
 - (c) that the patient is not susceptible to treatment; or
 - (d) that the patient does not require further treatment;
- or where the practitioner is for any reason unwilling to continue to treat or direct the treatment of the patient, he shall make a report in writing to that effect to the person under whose supervision the patient is and that person shall apply to a juvenile court for the variation or cancellation of the requirement.

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Selection of probation officers

- 11 The probation officer under whose supervision a person is to be placed shall be selected under arrangements made by the probation committee.
- 12 If the probation officer so selected dies or is unable for any reason to carry out his duties, or if the case committee dealing with the case think it desirable that another person should take his place, another probation officer shall be selected in like manner.
- 13 The probation officer under whose supervision a girl is placed shall be a woman.

Notification of orders

- 14 The court by which a supervision order is made or amended shall forthwith give or send a copy of its order—
- (a) to the person under supervision; and
 - (b) to the person under whose supervision he is placed ; and
 - (c) where the person under supervision is required to reside in an institution, to the person in charge of the institution; and
 - (d) where the person under supervision is required to reside in an institution which is neither an approved probation hostel or home nor a mental nursing home or hospital within the meaning of the Mental Health Act 1959 in which he is required to reside for the purpose of treatment as a resident patient, to the Secretary of State ; and
 - (e) where the petty sessions area named in the order is not the petty sessions area for which the court acts, to the clerk to the justices for the petty sessions area named in the order;

and, in the case mentioned in sub-paragraph (e) of this paragraph, shall also send to the clerk to the said justices such documents and information relating to the case as the court considers likely to be of assistance to them.

SCHEDULE 2

Section 17.

CONSTITUTION OF JUVENILE COURTS

PART I

OUTSIDE METROPOLITAN AREA

Juvenile court panels

- 1 The following provisions of this Part of this Schedule shall have effect as respects any area outside the metropolitan stipendiary court area and the City of London.
- 2 A justice shall not be qualified to sit as a member of a juvenile court unless he is a member of a juvenile court panel, that is to say, a panel of justices specially qualified to deal with juvenile cases.
- 3 Subject to the following provisions of this Part of this Schedule, a juvenile court panel shall be formed for every petty sessions area.

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Combined juvenile court panels

- 4 A magistrates' courts committee may make recommendations to the Secretary of State—
- (a) for the formation of a combined juvenile court panel for two or more petty sessions areas, or
 - (b) for the dissolution of any such combined juvenile court panel,
- if the committee's area comprises at least one of the petty sessions areas concerned.
- 5 It shall be the duty of the magistrates' courts committee for any area, if directed to do so by the Secretary of State, to review the functioning of juvenile courts in their area and on completion of the review to submit to the Secretary of State either a report making such recommendations as are mentioned in paragraph 4 of this Schedule or a report giving reasons for making no such recommendations.
- 6 Subject to the provisions of this Schedule—
- (a) where a magistrates' courts committee make such recommendations to the Secretary of State, he may make an order giving effect to them subject to any modifications he thinks fit; and
 - (b) where a magistrates' courts committee fail to comply within six months with a direction of the Secretary of State under the preceding paragraph, or the Secretary of State is dissatisfied with the report submitted in pursuance of such a direction, he may make such order as he thinks fit for the purposes mentioned in paragraph 4 of this Schedule.

Effect of order establishing combined panel

- 7 Where a combined juvenile court panel is formed for any petty sessions areas any justice who is a member of the panel may exercise in relation to each of the areas any jurisdiction exercisable by him as a member of a juvenile court.

Restrictions on formation of combined panels

- 8 No order under this Schedule shall provide for the formation of a combined juvenile court panel for an area which includes—
- (a) a county or part of a county and the whole or part of another county; or
 - (b) two county boroughs.
- 9 An order under this Schedule providing for the formation of a combined juvenile court panel for an area which comprises a borough having a separate magistrates' courts committee shall not be made except with the consent of every magistrates' courts committee the whole or part of whose area is included in the area for which the combined panel is formed.

Consultations and notices

- 10 A magistrates' courts committee, before submitting recommendations for an order under this Schedule, shall consult and, when submitting any such recommendations, shall give notice to—
- (a) the justices acting for any petty sessions area concerned which is within the committee's area (except where the committee's area is a borough); and
 - (b) any other magistrates' courts committee the whole or part of whose area is concerned ;

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and shall also consult the said justices before commenting on any recommendations on which they are consulted under this paragraph by another magistrates' courts committee.

- 11 Where the Secretary of State proposes to make an order under this Schedule in a case where either no recommendations have been made to him or the proposed order departs from the recommendations made to him, he shall send a copy of the proposed order to the magistrates' courts committee for any area the whole or part of which is concerned and to the justices acting for any petty sessions area concerned.
- 12 Where notice of recommendations or a copy of a proposed order is required to be sent under the preceding paragraphs to any justices or committee, the Secretary of State shall, before making an order, consider any representations made to him by the justices or committee, or by any juvenile court panel concerned, within one month from the time the notice was given or the copy of the proposed order was sent.

PART II

METROPOLITAN AREA

- 13 The following provisions of this Part of this Schedule shall have effect as respects the metropolitan stipendiary court area and the City of London (in this Part of this Schedule referred to as the metropolitan area).
- 14 Juvenile courts shall be constituted for the whole of the metropolitan area but shall sit for such divisions and in such places as the Secretary of State may by order specify, without prejudice, however, to their jurisdiction with respect to the whole area.
- 15 Subject to the following provisions of this Schedule—
- (a) each juvenile court shall consist of a chairman and two other members and shall have both a man and a woman among its members ;
 - (b) the chairman shall be a person nominated by the Secretary of State to act as chairman of juvenile courts for the metropolitan area and shall be either a metropolitan stipendiary magistrate or a justice of the peace for the county of London selected, in such manner as may be provided by an order of the Secretary of State, from a panel of such justices from time to time nominated by him; and
 - (c) the other members shall be justices so selected from that panel.
- 16 If at any time, by reason of illness or other emergency, no person nominated under paragraph 15(b) of this Schedule is available to act as chairman of a juvenile court, any metropolitan stipendiary magistrate or, with the consent of the Secretary of State, any justice of the peace selected as aforesaid from the said panel, may act temporarily as chairman.
- 17 Where it appears to the chairman that a juvenile court cannot, without adjournment, be fully constituted, and that an adjournment would not be in the interests of justice, the chairman may sit with one other member (whether a man or a woman) or, if a metropolitan stipendiary magistrate, may sit alone.
- 18 The Secretary of State, in nominating any persons under this Part of this Schedule, shall have regard to the previous experience of the persons available and their special qualifications for dealing with juvenile cases; and every such nomination shall be for a specified period and shall be revocable by the Secretary of State.

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- 19 The enactments relating to the provision of land and buildings required for the purposes of metropolitan magistrates' courts shall extend and be deemed always to have extended to the provision of land and buildings required for the purposes of juvenile courts constituted for the metropolitan area.

PART III

GENERAL

- 20 An order of the Secretary of State under this Schedule shall be made by statutory instrument and may be revoked or varied by a subsequent order thereunder.
- 21 Any such order may contain supplementary, incidental and consequential provisions.

SCHEDULE 3

Section 64.

MINOR AND CONSEQUENTIAL AMENDMENTS

The principal Act

- 1 In section 1(1), the words "or in default of payment of such a fine " shall be omitted in both places where they occur.
- 2 In section 3, the words " or in default of payment of such a fine " shall be omitted.
- 3 In section 4(1), the words " or in default of payment of such a fine " shall be omitted.
- 4 For subsection (3) of section 18 there shall be substituted the following subsection:
 —
- “(3) Nothing in this section, or in any byelaw made under this section, shall prevent a child from taking part in a performance—
- (a) under the authority of a licence granted under this Part of this Act; or
- (b) in a case where by virtue of section 37(3) of the Children and Young Persons Act 1963 no licence under that section is required for him to take part in the performance.”
- 5 In section 23, for the words "public performance" there shall be substituted the words " performance to which section 37 of the Children and Young Persons Act 1963 applies and ".
- 6 (1) In subsection (2) of section 24 for the words "petty sessional court" there shall be substituted the words " local authority ".
- (2) In subsection (4) of that section for the word " court", in both places where it occurs, there shall be substituted the word " authority ".
- 7 In the proviso to section 25(1), for the words " Great Britain and Ireland" there shall be substituted the words " the United Kingdom ".
- 8 In section 26(1), the words " or in default of payment of such a fine " shall be omitted.

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- 9 In section 28(1) for the words " an entertainment or performance " there shall be substituted the words " a performance ".
- 10 In section 29(3), for the words " The said provisions " there shall be substituted the words " The provisions of this Part of this Act relating to employment ".
- 11 In section 40(1), for the words from " to take him " to " detain him there " there shall be substituted the words " to take him to a place of safety, or authorising any constable to remove him with or without search to a place of safety, and a child or young person taken to a place of safety in pursuance of such a warrant may be detained there ".
- 12 In section 48(1), the words " or an application relating to " and the words " or application " shall be omitted.
- 13 In section 53(4), for the words "shall return" there shall be substituted the words " may be arrested without warrant by any constable and taken " ; and the words from " and if he fails " to the end of the section shall be omitted.
- 14 (1) In subsection (1) of section 56, for the words " if it thinks fit" there shall be substituted the words " and, if it is not a juvenile court, shall unless satisfied that it would be undesirable to do so ".
- (2) For subsection (2) of that section there shall be substituted the following subsection:
—
- “(2) Where any case is so remitted—
- (a) the offender shall have the same right of appeal against any order of the court to which the case is remitted as if he had been found guilty by that court, but shall have no right of appeal against the order of remission ; and
- (b) any appeal against the finding of guilt shall, if the finding was made by a juvenile or other magistrates' court, be made to the court of quarter sessions having jurisdiction to hear an appeal under paragraph (a) of this subsection.”
- 15 In section 58, for the words " for the detention of the person to whom it relates " there shall be substituted the words " for his detention in that approved school or in such other approved school as the Secretary of State may from time to time determine ".
- 16 After subsection (2A) of section 62 there shall be inserted the following subsection:
—
- “(2B) A person of or over the age of sixteen who is or has been married shall not be brought before or dealt with by a juvenile court under this section.”
- 17 (1) In section 67(1), after the words " committed, or " there shall be inserted the words " any person ".
- (2) In section 67(2), after the words " five foregoing sections " there shall be inserted the words " or subsection (8) of section 84 of this Act ".
- 18 In subsections (2) and (7) of section 70, for the words from " by reason of " to " education)" there shall be substituted the words " in respect of a person brought before a juvenile court under section 40A of the Education Act 1944 ".

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- 19 In section 73, the words " under the foregoing provisions of this Act" shall be omitted and at the end of the proviso there shall be added the words " nor to a person detained under this section or under section 17 of the Criminal Justice Act 1961 ".
- 20 (1) In subsection (1) of section 84, after the words " in this section " there shall be inserted the words " and the next following section " .
- (2) In subsection (6) of that section the words " upon the application of any person " shall be omitted.
- 21 In section 85(1), for the words from " who, having no parent" to the end of the subsection there shall be substituted the words " beyond the control of his parent or guardian " .
- 22 In section 90(5), the following shall be substituted for paragraph (b):—
“(b) is made in respect of a person brought before a juvenile court under section 40A of the Education Act 1944”.
- 23 In section 102(1)(a), after the words " probation officer or other person " there shall be inserted the words " (including an order under section 51(1) of the Children and Young Persons Act 1963) " .
- 24 In section 107(1), the words " and the City of London " shall be added at the end of the definition of " metropolitan police court area " .
- 25 For sub-paragraph (1) of paragraph 9 of Schedule 4 there shall be substituted the following sub-paragraph:—
“(1) The Secretary of State may at any time order a person under the care of the managers of an approved school to be discharged or, with the consent of the Secretary of State concerned with the administration of the Children and Young Persons (Scotland) Act 1937, to be transferred to the care of the managers of a school in Scotland which is an approved school within the meaning of that Act; and may, without prejudice to his power to determine the school in which any person is to be detained at any time, order a person not detained but under the care of the managers of an approved school to be transferred to the care of the managers of another approved school.”
- 26 For sub-paragraph (3) of paragraph 12 of Schedule 4 there shall be substituted the following sub-paragraph:—
“(3) A local authority for the purposes of Parts III and IV of this Act shall, if requested to do so by the managers of an approved school, cause to be visited, advised and befriended any person who is or is likely to be in their area while out under supervision from that school, any person detained in or out under supervision from that school whose parent or guardian is in their area, and any person in their area who may be visited, advised and befriended in pursuance of paragraph 7 of Schedule 2 to the Criminal Justice Act 1961.”
- 27 In paragraph 13 of Schedule 4, for the words from " powers, protection and privileges " to the end of the paragraph there shall be substituted the words “powers, protection and privileges—
(i) in the United Kingdom or the Isle of Man, of a constable ;
(ii) in Jersey, of a member of the police;
(iii) in any other part of the Channel Islands, of an officer of police within the meaning of section 43 of the Larceny

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(Guernsey) Law 1958, or any corresponding law for the time being in force.”

The Summary Jurisdiction (Appeals) Act 1933

- 28 In section 8(1), after the words "to which this Act applies" there shall be inserted the words " and with respect to cases of persons committed by a juvenile court to quarter sessions under section 28 of the Magistrates' Courts Act 1952 or section 67 of the Mental Health Act 1959 ".

The principal Scottish Act

- 29 (1) In subsection (1) of section 28, for paragraph (a) there shall be substituted the following paragraph:—

“(a) if he is under the age of thirteen years, or if, after the coming into force of regulations under section 32(2) of the Education (Scotland) Act 1962, he is under the age of fourteen years”.

- (2) For subsection (3) of that section there shall be substituted the following subsection:

—
“(3) Nothing in this section or in any byelaw made under this section shall prevent a child from taking part in a performance—

- (a) under the authority of a licence granted under this Part of this Act; or
(b) in a case where by virtue of section 37(3) of the Children and Young Persons Act 1963 no licence under that section is required for him to take part in the performance.”

- 30 In section 33, for the words " public performance " there shall be substituted the words " performance to which section 37 of the Children and Young Persons Act 1963 applies and ".

- 31 In section 36(1), for the words " an entertainment or performance " there shall be substituted the words " a performance ".

- 32 In section 38(3), for the words " The said provisions " there shall be substituted the words " The provisions of this Part of this Act relating to employment ".

- 33 After subsection (5) of section 87 there shall be inserted the following subsection:—

“(6) In this section ' school', in relation to England and Wales, includes a remand home designated as a classifying centre under section 11 of the Children and Young Persons Act 1963.”

- 34 In paragraph 13 of Schedule 2 for the words from " powers, protection and privileges " to the end of the paragraph there shall be substituted the words “powers, protection and privileges—

- (i) in the United Kingdom or the Isle of Man, of a constable ;
(ii) in Jersey, of a member of the police ;
(iii) in any other part of the Channel Islands, of an officer of police within the meaning of section 43 of the Larceny "Guernsey) Law 1958, or any corresponding law for the time being in force.”

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The Education Act 1944

35 (1) After subsection (4) of section 40 there shall be inserted the following subsection:—

“(4A) Without prejudice to the institution of proceedings for an offence under section 37 of this Act or the exercise of the power conferred on a court by subsection (3A) of this section, where the parent of a child has failed to comply with the requirements of a school attendance order served on him the local education authority who served the order may bring the child before a juvenile court and the juvenile court, unless it appears to it that the child is receiving efficient full-time education suitable to his age, ability and aptitude otherwise than at school, may make any order which it has power to make under section 62 of the Children and Young Persons Act 1933 in the case of persons who are brought before it under that section ; and if it does not make such an order it may direct that the school attendance order shall cease to be in force.”

(2) In subsection (5) of that section, after the words "subsection (4)" there shall be inserted the words " or subsection (4A) ".

36 After section 40 there shall be inserted the following section:—

“40A School attendance of vagrant children.

(1) Without prejudice to the institution of proceedings for an offence under section 10 of the Children and Young Persons Act 1933 (vagrants preventing children from receiving education), where it appears to a local education authority that a child of compulsory school age who is for the time being in their area is a child whom a person habitually wandering from place to place takes with him, the authority may bring the child before a juvenile court, and the court, unless it appears to it that he is receiving efficient full-time education suitable to his age, ability and aptitude, may make any order which it has power to make under section 62 of the said Act of 1933 in the case of persons who are brought before it under that section.

(2) For the purposes of the Children and Young Persons Acts 1933 to 1963, any child who is about to be brought or is brought before a juvenile court by virtue of this section shall be deemed to be a child about to be brought or, as the case may be, brought before such a court under the said section 62, and any order made by a juvenile court under this section shall be deemed to be an order made under that section.”

The Family Allowances Act 1945

37 In section 11(1), paragraph (b) shall be omitted, and after paragraph (c) there shall be added the following paragraph:—

“(d) during which there is in force a provision of an order made by virtue of section 9 of the Children and Young Persons Act 1963 or an order under section 73(2) of the Children and Young Persons (Scotland) Act 1937 committing the child to custody in any place.”

The Children Act 1948

38 For subsection (8) of section 3 there shall be substituted the following subsection:—

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“(8) Any person who—

- (a) knowingly assists or induces or persistently attempts to induce a child to whom this subsection applies to run away, or
- (b) without lawful authority takes away such a child, or
- (c) knowingly harbours or conceals such a child who has run away or who has been taken away or prevents him from returning,

shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding two months or to both.

This subsection applies to any child in the care of a local authority under section 1 of this Act with respect to whom a resolution is in force under section 2 thereof and for whom accommodation (whether in a home or otherwise) is being provided by the local authority in pursuance of Part II of this Act; and references in this subsection to running away or taking away or to returning are references to running away or taking away from, or to returning to, a place where accommodation is or was being so provided.”

39 In section 10(1), the words " has not attained the age of sixteen and " shall be omitted.

40 (1) In subsection (1) of section 38, after the words "the Children Act 1958" there shall be inserted the words " and of Parts I and III of the Children and Young Persons Act 1963 ".

(2) In subsection (2) of that section, after the words "this Act" there shall be inserted the words " and of section L and Part III of the Children and Young Persons Act 1963 ".

41 In section 39(1), after paragraph (g) there shall be inserted the following:—

“and

(h) the Children and Young Persons Act 1963, except Part II and section 56.”

42 In section 43(1) after the words " the Children and Young Persons Act 1933 " there shall be inserted the words " sections 1, II and 13 of the Children and Young Persons Act 1963 ".

43 In section 44(1), after the words "the Children and Young Persons (Scotland) Act 1937" there shall be inserted the words " section 1 of the Children and Young Persons Act 1963 ".

The Criminal Justice Act 1948

44 In section 75, for the words " young person ", in each place where they occur, there shall be substituted the words " a person under the age of eighteen who has attained the age of fourteen ", and after the words "sections 62 to 66" there shall be inserted the words " or subsection (8) of section 84 ".

The Criminal Justice (Scotland) Act 1949

45 In section 72(1), for the words from " or under section 38 " to " 1956 " there shall be substituted the words " or under section 36(4) or section 44(3) of the Education (Scotland) Act 1962 ".

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The Justices of the Peace Act 1949

- 46 In section 14(1), for the words from " paragraph 1 " to " 1933 " there shall be substituted the words " section 15 of this Act ".

The Criminal Justice Administration Act 1956

- 47 In section 18(4), after the words " appeals from a juvenile court" there shall be inserted the words " and to cases of persons committed by a juvenile court to quarter sessions under section 28 of the Magistrates' Courts Act 1952 or section 67 of the Mental Health Act 1959 ".

The Mental Health Act 1959

- 48 In section 72(6)(a) after the words " said Act of 1933 " there shall be added the words " or section 23 (5) of the Children and Young Persons Act 1963 ".
- 49 In section 75(2), for the words from " including an order" to " 1933 " there shall be substituted the words " including detention in pursuance of a provision made by virtue of section 9 of the Children and Young Persons Act 1963 ".

The Criminal Justice Act 1961

- 50 (1) In subsection (1) of section 29, after the words " or remand home " there shall be inserted the words " special reception centre or other place of safety ".
- (2) In subsection (2) of that section, after the words " taken back to the prison or other institution " there shall be added the words " or place ".
- (3) At the end of the section there shall be added the following subsection:—
- “(3) In this section ' special reception centre ' has the same meaning as in the Children and Young Persons Act 1933 and ' place of safety' has—
- (a) in relation to England and Wales, the same meaning as in that Act; and
 - (b) in relation to Scotland, the same meaning as in the Children and Young Persons (Scotland) Act 1937 ; and
 - (c) in relation to Northern Ireland, the same meaning as in the Children and Young Persons Act (Northern Ireland) 1950.”

The Criminal Justice Administration Act 1962

- 51 In section 4(7), after the words "appeal from a juvenile court" there shall be inserted the words " or the case of a person committed by a juvenile court to quarter sessions under section 28 of the Magistrates' Courts Act 1952 or section 67 of the Mental Health Act 1959 ".

SCHEDULE 4

Section 64.

TRANSITIONAL PROVISIONS

- 1 Nothing in this Act shall affect the operation of section 64 of the principal Act in relation to an application made thereunder before the repeal of that section.

Status: This is the original version (as it was originally enacted).

- 2 Section 20 of this Act shall not apply in relation to the case of any person committed to quarter sessions before the coming into operation of that section.
- 3 Any licence under section 22 of the principal Act or under section 32 of the principal Scottish Act shall be treated as a licence under section 37 of this Act.
- 4 The power to revoke or vary a licence under section 24 of the principal Act granted before the coming into operation of section 41(1) of this Act shall be exercisable by the local education authority in whose area the place where the person to whom the licence relates is to be trained in accordance with the licence is situated, or if more than one such place is specified in the licence, the local education authority for the area where the place first so specified is situated.
- 5 On the coming into operation of section 8 of this Act so much of any approved school order as specifies any school shall cease to have effect.
- 6 (1) An approved school order made before the day on which section 9 of this Act comes into operation shall, if not then in effect, take effect on that day.
- (2) If on that day the person to whom the order relates has not been sent to an approved school and the authority or person responsible for conveying him to his school is not named in or endorsed on the order, a juvenile court acting for the place where he is shall on the application of any person specify that authority or person and shall cause the approved school order to be delivered to the authority or person so specified.
- 7 Where an application under section 68(3) of the principal Act has not been determined on the coming into operation of section 8 of this Act, the applicant may make an application under subsection (3) of the said section 8 at any time not later than thirty days after the coming into operation of that section.
- 8 Any order under section 69(2) of the principal Act which is in force on the coming into operation of section 9 of this Act shall for the purposes of that section be treated as a provision made in pursuance of subsection (1) thereof.
- 9 A juvenile court panel formed for any two or more petty sessions areas before the coming into operation of Part I of Schedule 2 to this Act by an order under paragraph 1(3) of Schedule 2 to the principal Act shall be deemed to be a combined juvenile court panel formed under Part I of Schedule 2 to this Act and the order forming the panel may be revoked or varied by an order under that Part.

SCHEDULE 5

Section 64.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	In section 1, in subsection (1), the words " or in default of payment of such a fine ", in both places where they occur. In section 3, in subsection (1), the words " or

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Session and Chapter	Short Title	Extent of Repeal
		<p>in default of payment of such a fine " .</p> <p>In section 4, in subsection (1), the words " or in default of payment of such a fine " .</p> <p>In section 14, subsection (3). Section 22.</p> <p>In section 24, subsections (3) and (5).</p> <p>In section 25, in subsection (1), the words " he has attained the age of fourteen years and " .</p> <p>In section 26, in subsection (1), the words " or in default of payment of such a fine " .</p> <p>In section 29, subsections (1) and (2).</p> <p>In section 35, in subsection (2), the words " and, in proper cases, as to available approved schools " .</p> <p>In section 39, in subsection (1), the words from " which arise" to " decency or morality " .</p> <p>In section 48, in subsection (1), the words " or an application relating to " and the words " or application " .</p> <p>In section 53, in subsection (4), the words from " and if he fails " to the end of the subsection.</p> <p>Section 61.</p> <p>In section 63, in subsection (1), the words " or any offence under section 10 of this Act " .</p> <p>Section 64.</p>

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Session and Chapter	Short Title	Extent of Repeal
1 Edw. 8 & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act 1937.	<p>In section 66, in subsection (1), the words " and he is under the age of seventeen years ", and subsection (2).</p> <p>In section 67, in subsection (1), the words " child or young " in the second place where they occur; and in subsection (2), the words " child or young ".</p> <p>In section 68, subsections (2) and (3).</p> <p>Section 69.</p> <p>In section 70, in subsection (3), the words " which is made to take effect immediately " and paragraph (a); and subsections (4) to (6).</p> <p>In section 72, in subsection (1), the words " or makes any endorsement upon ".</p> <p>In section 73, the words " under the foregoing provisions of this Act ".</p> <p>In section 84, in subsection (6), the words " upon the application of any person " and the proviso.</p> <p>In section 87, subsection (5).</p> <p>In section 107(1), in the definition of " Approved school order ", the words " child or young ", and the definition of " In need of care and protection ".</p> <p>Schedule 2.</p> <p>In Schedule 4, paragraph 10.</p> <p>Section 32.</p> <p>In section 34, subsections (3) and (5).</p> <p>In section 37, paragraph (g).</p>

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Session and Chapter	Short Title	Extent of Repeal
1 & 2 Geo. 6. c. 40.	The Children and Young Persons Act 1938.	<p>In section 38, subsections (1), (2) and (7).</p> <p>In section 46, in subsection (1), the words from " which arise" to " decency or morality ".</p> <p>Section 1.</p> <p>In section 2, the proviso.</p> <p>Section 4.</p> <p>In section 5, the words " or is beyond the control of his parent or guardian ".</p> <p>In section 6, in subsection (2), the words " or section 69 ".</p> <p>Section 7.</p> <p>In the Schedule, the amendment of section 64 of the principal Act; and in the words inserted into section 84 of the principal Act, the words " upon the application of any person " and the proviso.</p>
7 & 8 Geo. 6. c. 31.	The Education Act 1944	Schedule 8 so far as it amends sections 22 and 61 of the principal Act.
8 & 9 Geo. 6. c. 41.	The Family Allowances Act 1945.	<p>In section 11(1), paragraph (b).</p> <p>In section 26, in subsection (3), the word " 69 " and the word " 73" in the second place where it occurs.</p>
11 & 12 Geo. 6. c. 43.	The Children Act 1948	In section 10(1), the words " has not attained the age of sixteen and ".
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	<p>In section 19(1), the words " not less than ten but".</p> <p>In section 48(2), the words " of not less than ten but ".</p> <p>Section 74.</p> <p>In Schedule 9, the entry relating to section 4 of the</p>

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Session and Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 101.	The Justices of the Peace Act 1949.	Children and Young Persons Act 1938. In section 11, subsections (5) to (8). In section 15, in subsection (5), the words from " and the reference " to the end of the subsection.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 50.	The Children and Young Persons (Amendment) Act 1952.	Section 1. In section 3, subsections (2) and (3). In section 5, subsections (1) and (2). Section 6. Section 7. In the Schedule, paragraphs 4, 6, 7 and 10.
4 & 5 Eliz. 2 c. 24.	The Children and Young Persons Act 1956.	In section 2(2) the words from " and the said powers " to the end of the subsection. In the Schedule, paragraphs 7(b) and 14(b).
4 & 5 Eliz. 2. c. 69.	The Sexual Offences Act 1956.	In Schedule 3, the amendment of section 61(1) of the principal Act.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In section 61, in subsection (1), the words " or section 64 " and in paragraph (a) the words from " or that his parent " to " as the case may be"; subsection (2); and in subsection (3), the words " or 64". In section 62, in subsection (4), the words " or section 64 " and the words from " and in the case " to the end of the subsection. In section 70, in subsection (2), the words from " or that " to " control him ".

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Session and Chapter	Short Title	Extent of Repeal
9 & 10 Eliz. 2. c. 39.	The Criminal Justice Act 1961.	In section 10, subsection (1). In Schedule 4, in the entry relating to section 53 of the principal Act, the words from " and for the words " to the end of the entry; in the entry relating to Schedule 4 to the principal Act. the words from " and in paragraph 12 " to the end of the entry; in the entry relating to section 19 of the Criminal Justice Act 1948 the words from " and for " to the end of the entry; and the entry relating to section 48 of the Criminal Justice Act 1948.

TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Criminal Evidence Act 1898	61 & 62 Vict. c. 36.
Oaths Act 1909	9 Edw. 7. c. 39.
Guardianship of Infants Act 1925	15 & 16 Geo. 5. c. 45.
Children and Young Persons Act 1933	23 & 24 Geo. 5. c. 12.
Summary Jurisdiction (Appeals) Act 1933	23 & 24 Geo. 5. c. 38.
Local Government Act 1933	23 & 24 Geo. 5. c. 51.
Children and Young Persons (Scotland) Act 1937	1 Edw. 8 & 1 Geo. 6. c. 37.
Children and Young Persons Act 1938	1 & 2 Geo. 6. c. 40.
Education Act 1944	7 & 8 Geo. 6. c. 31.
Family Allowances Act 1945	8 & 9 Geo. 6. c. 41.
Children Act 1948	11 & 12 Geo. 6. c. 43.
Criminal Justice Act 1948	11 & 12 Geo. 6. c. 58.
Criminal Justice (Scotland) Act 1949	12, 13 & 14 Geo. 6. c. 94.
Justices of the Peace Act 1949	12, 13 & 14 Geo. 6. c. 101.
Shops Act 1950	14 Geo. 6. c. 28.
Maintenance Orders Act 1950	14 Geo. 6. c. 37.
Magistrates' Courts Act 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.
Licensing Act 1953	1 & 2 Eliz. 2. c. 46.

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Short Title	Session and Chapter
Criminal Justice Administration Act 1956	4 & 5 Eliz. 2. c. 34.
Sexual Offences Act 1956	4 & 5 Eliz. 2. c. 69.
Maintenance Orders Act 1958	6 & 7 Eliz. 2. c. 39.
Matrimonial Proceedings (Children) Act 1958	6 & 7 Eliz. 2. c. 40.
Local Government Act 1958	6 & 7 Eliz. 2. c. 55.
Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958	6 & 7 Eliz. 2. c. 64.
Children Act 1958	6 & 7 Eliz. 2. c. 65.
Adoption Act 1958	7 & 8 Eliz. 2. c. 5.
Licensing (Scotland) Act 1959	7 & 8 Eliz. 2. c. 51.
Mental Health Act 1959	7 & 8 Eliz. 2. c. 72.
Indecency with Children Act 1960	8 & 9 Eliz. 2. c. 33.
Matrimonial Proceedings (Magistrates' Courts) Act 1960	8 & 9 Eliz. 2. c. 48.
Mental Health (Scotland) Act 1960	8 & 9 Eliz. 2. c. 61.
Criminal Justice Act 1961	9 & 10 Eliz. 2. c. 39.
Licensing Act 1961	9 & 10 Eliz. 2. c. 61.
Criminal Justice Administration Act 1962	10 & 11 Eliz. 2. c. 15.
Education (Scotland) Act 1962	10 & 11 Eliz. 2. c. 47.