



# Children and Young Persons Act 1969

## 1969 CHAPTER 54

### PART II

#### ACCOMMODATION ETC. FOR CHILDREN IN CARE, AND FOSTER CHILDREN

##### *Community homes*

35— .....<sup>F1</sup>  
45.

#### Textual Amendments

**F1** Ss. 35–45, 47–50 repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)

#### **46 Discontinuance of approved schools etc. on establishment of community homes.**

(1) If in the case of any approved school, [<sup>F2</sup>or remand home within the meaning of the <sup>M1</sup>Criminal Justice Act 1948 or approved probation hostel <sup>F3</sup>. . . (hereafter in this section referred to as an “approved institution”) it appears to the Secretary of State that in consequence of the establishment of community homes for a planning area the institution as such is no longer required, he may by order provide that it shall cease to be an approved institution on a date specified in the order.

(2) The provisions of Schedule 3 to this Act shall have effect in relation to institutions which are, or by virtue of this section have ceased to be, approved institutions.]

#### Textual Amendments

**F2** Words substituted by [Powers of Criminal Courts Act 1973 \(c. 62, SIF 39:1\)](#), [Sch. 5 para. 36](#)

**F3** Words in s. 46(1) repealed (1.4.2001) by [2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 41, Sch. 8: S.I. 2001/919, art. 2\(f\)\(ii\)\(g\)](#)

*Status: Point in time view as at 31/07/2004.*

*Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Cross Heading: Community homes. (See end of Document for details)*

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

**C1** S. 46 amended by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), [Sch. 2 para. 17](#)

**Marginal Citations**

**M1** [1948 c. 58\(39:1\)](#).

47— ..... **F4**  
50.

**Textual Amendments**

**F4** [Ss. 35–45, 47–50](#) repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)

51 ..... **F5**

**Textual Amendments**

**F5** [Ss. 51, 52\(1\)–\(3\)](#) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

52 (1) ..... **F6**

<sup>X1</sup>(4) Section 37 of the <sup>M2</sup> Adoption Act 1958 (which defines “ protected child” for the purposes of Part IV of that Act) shall have effect subject to the following modifications:—

- (a) in paragraph (a) of subsection (1) (which refers to arrangements for placing a child in the care of a person who is not a parent, guardian or relative of his) after the words “ relative of his” there shall be inserted the words “ but who proposes to adopt him” ;
- (b) in subsection (1) (which among other matters excludes a foster child from the definition of “ a protected child”) the words “ but is not a foster child within the meaning of Part I of the Children Act 1958” shall be omitted ; and
- (c) in subsection (2) (which excludes certain children from the definition of protected child, including children only temporarily in the care and possession of a person under such arrangements as are referred to in subsection (1)(a) of that section) the words from “ by reason” to “ that subsection, nor” shall be omitted.

(5) ..... **F7**

**Editorial Information**

**X1** The text of s. 52(4) 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.

**Textual Amendments**

**F6** [Ss. 51, 52\(1\)–\(3\)](#) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

*Status: Point in time view as at 31/07/2004.*

*Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Cross Heading: Community homes. (See end of Document for details)*

**F7** Ss. 52(5), 53–55 repealed by Foster Children Act 1980 (c. 6, SIF 20), **Sch. 3**

**Marginal Citations**

**M2** 1958 c. 5. (7 & 8 Eliz. 2.)

**53**— ..... **F8**  
**55.**

**Textual Amendments**

**F8** Ss. 52(5), 53–55 repealed by Foster Children Act 1980 (c. 6, SIF 20), **Sch. 3**

**56, 57.** ..... **F9**

**Textual Amendments**

**F9** Ss. 56, 57 repealed by (E.W.) Foster Children Act 1980 (c. 6, SIF 20), **Sch. 3** and (S.) Foster Children (Scotland) Act 1984 (c. 56, SIF 20), **Sch. 3**  
Words "49 and the said sections" in s. 57(4) expressed to be repealed (3.2.1995) by 1994 c. 33, s. 168(3), **Sch.11**; S.I. 1995/127, art. 2(1), **Sch.1** Appendix C

**58, 59.** ..... **F10**

**Textual Amendments**

**F10** Ss. 58, 59 repealed by Child Care Act 1980 (c. 5, SIF 20), s. 89, **Sch. 6**

**Status:**

Point in time view as at 31/07/2004.

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Young Persons Act 1969,  
Cross Heading: Community homes.