



# Children and Young Persons Act 1969

## 1969 CHAPTER 54

### PART I

#### CARE AND OTHER TREATMENT OF JUVENILES THROUGH COURT PROCEEDINGS

##### *Transfer*

#### 25 Transfers between England or Wales and Northern Ireland. **E+W**

- (1) If it appears to the Secretary of State, on the application of the welfare authority or the managers of the training school to whose care a person is committed [<sup>F1</sup>by a relevant order], that his parent or guardian resides or will reside in the area of a local authority in England or Wales, the Secretary of State may make an order committing him to the care of that local authority; and while an order under this subsection is in force it shall have effect [<sup>F2F3</sup> . . . as if it were a supervision order imposing a [<sup>F4</sup>local authority residence requirement as mentioned in paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000].]

[<sup>F5</sup>(1A) In subsection (1) above “by a relevant order” means—

- (a) by a fit person order;
- (b) by virtue of a training school order; or
- (c) by an order under subsection (2) below;

where the order in question is not by virtue of Schedule 8 to the Children (Northern Ireland) Order 1995 deemed to be a care order within the meaning of that Order.]

- (2) If it appears to the [<sup>F6</sup>the Secretary of State], on the application of the local authority to whose care a person is committed by a care order [<sup>F7</sup>to which paragraph 36 of Schedule 14 to the Children Act (criminal care order transitional provisions) applies] other than an interim order [<sup>F7</sup>or who is to accommodate a person pursuant to a supervision order imposing a [<sup>F4</sup>local authority residence requirement as mentioned in paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000]] [<sup>F8</sup>or by an order under subsection (1) above], that his parent or guardian resides or will reside in Northern Ireland, [<sup>F6</sup>the Secretary of State] may make an order

*Status: Point in time view as at 25/08/2000. There are multiple versions of this provision on screen.  
 These apply to different geographical extents. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the  
 Children and Young Persons Act 1969, Section 25. (See end of Document for details)*

committing him to the care of the managers of a training school or to the care of the welfare authority in whose area his parent or guardian resides or will reside and the provisions of the <sup>M1</sup>Children and Young Persons Act (Northern Ireland) 1968 (except sections [<sup>F9</sup>88(3) and 90] shall apply to an order under this subsection as if it were a training school order made on the date of the care order or, as the case may be, [<sup>F9</sup>the supervision order].

If an order under this subsection commits a person to the care of the managers of a training school, the contributions to be made in respect of him under section 161 of the said Act of 1968 shall be made by such council as may be named in that order, being the council within whose district his parent proposes to reside or is residing at the time of the order.

- (3) When a person is received into the care of a local authority or welfare authority or the managers of a training school in pursuance of an order under this section, the training school order, fit person order [<sup>F10</sup>, care order or supervision order] in consequence of which the order under this section was made shall cease to have effect; and the order under this section shall, unless it is discharged earlier, cease to have effect—
- (a) in the case of an order under subsection (1), on the earlier of the following dates, that is to say, the date when the person to whom the order relates attains the age of nineteen or the date when, by the effluxion of time, the fit person order aforesaid would have ceased to have effect or, as the case may be, the period of his detention under the training school order aforesaid would have expired;
  - (b) in the case of an order under subsection (2), on the date when the care order [<sup>F11</sup>or supervision order] aforesaid would have ceased to have effect by the effluxion of time or—
    - <sup>F12</sup>(i) . . . . .
    - (ii) if the order has effect by virtue of subsection (2) as a training school order and the period of supervision following the detention of the person in question in pursuance of the order expires before that date, when that period expires.
- (4) An order under this section shall be sufficient authority for the detention in Northern Ireland, by any constable or by a person duly authorised by a local authority or welfare authority or the managers of a training school, of the person to whom the order relates until he is received into the care of the authority or managers to whose care he is committed by the order.
- (5) In this section “training school”, “training school order” and “welfare authority” have the same meaning as in the said Act of 1968, and “fit person order” means an order under that Act committing a person to the care of a fit person.

#### **Extent Information**

**E1** This version of this provision extends to E.W. only; a separate version has been created for N.I. only

#### **Textual Amendments**

- F1** Words in s. 25(1) substituted (4.11.1996) by S.I. 1995/756, art. 7(2); S.R. (N.I.) 1996/297, art. 3
- F2** Words in s. 25(1) substituted (14.10.1991) by S.I. 1991/2032, reg. 8(1)(a)(ii)
- F3** Words in s. 25(1) repealed (4.11.1996) by S.I. 1995/756, art. 15, Sch.; S.R. (N.I.) 1996/297, art. 3
- F4** Words in s. 25(1)(2) substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), Sch. 9 para. 39(a)
- F5** S. 25(1A) inserted (4.11.1996) by S.I. 1995/756, art. 7(3); S.R. (N.I.) 1996/297, art. 3

**Status:** Point in time view as at 25/08/2000. There are multiple versions of this provision on screen.  
These apply to different geographical extents. This version of this provision has been superseded.  
**Changes to legislation:** There are currently no known outstanding effects for the  
Children and Young Persons Act 1969, Section 25. (See end of Document for details)

- F6** Words substituted (N.I.) by virtue of S.I. 1973/2163, arts. 2(1), 11(5), **Sch. 1**  
**F7** Words in s. 25(2) inserted (14.10.1991) by S.I. 1991/2032, **reg. 8(1)(b)(i)(ii)**  
**F8** Words inserted by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), **Sch. 2 para. 15**  
**F9** Words in s. 25(2) substituted (14.10.1991) by S.I. 1991/2032, **reg. 8(1)(b)(iv)(v)**  
**F10** Words in s. 25(3) substituted (14.10.1991) by S.I. 1991/2032, **reg. 8(1)(c)(ii)**  
**F11** Words in s. 25(3)(b) inserted (14.10.1991) by S.I. 1991/2032, **reg. 8(1)(c)(iii)**  
**F12** S. 25(3)(b)(i) omitted (14.10.1991) by virtue of S.I. 1991/2032, **reg. 8(1)(c)(iv)**

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

- C1** Ss. 25, 26: power to amend conferred (14.10.1991) by Children Act 1989 (c. 41, SIF 20), **s. 101(5)(a)**, (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**  
**C2** S. 25(2) excluded by Army Act 1955 (c. 18, SIF 7:1), **Sch. 5A para 7(4)**, Air Force Act 1955 (c. 19, SIF 7:1), **Sch 5A para 7(4)** and Naval Discipline Act 1957 (c. 53, SIF 7:1), **Sch. 4A para 7(4)** (Schs. 5A para. 7(3) of the said Acts of 1955 and Sch. 4A para. 7(3) of the Act 1957 substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(4), Sch. 12 paras. 8, 10, **18**, (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

#### Marginal Citations

- M1** 1968 c. 34 (N.I.)

## 25 Transfers between England or Wales and Northern Ireland. **N.I.**

- (1) If it appears to the Secretary of State, on the application of the [<sup>F13</sup>Ministry of Home Affairs for Northern Ireland (in this section referred to as the Ministry of Home Affairs)] or the managers of the training school to whose care a person is committed [<sup>F14</sup>by a relevant order], that his parent or guardian resides or will reside in the 'area of a local authority in England or Wales, the Secretary of State may make an order committing him to the care of that local authority; and while an order under this subsection is in force it shall have effect [<sup>F15F16</sup>. . . as if it were a supervision order imposing a [<sup>F17</sup>local authority residence requirement as mentioned in paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000]]

[<sup>F18</sup>(1A) In subsection (1) above “by a relevant order” means—

- (a) by a fit person order;
- (b) by virtue of a training school order; or
- (c) by an order under subsection (2) below;

where the order in question is not by virtue of Schedule 8 to the Children (Northern Ireland) Order 1995 deemed to be a care order within the meaning of that Order.]

- (2) If it appears to the [<sup>F19</sup>the Secretary of State], on the application of the local authority to whose care a person is committed by a care order [<sup>F20</sup>to which paragraph 36 of Schedule 14 to the Children Act (criminal care order transitional provisions) applies] other than an interim order [<sup>F20</sup>or who is to accommodate a person pursuant to a supervision order imposing a [<sup>F17</sup>local authority residence requirement as mentioned in paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000]] [<sup>F21</sup>or by an order under subsection (1) above], that his parent or guardian resides or will reside in Northern Ireland, [<sup>F19</sup>the Secretary of State] may make an order committing him to the care of the managers of a training school [<sup>F22</sup>. . . and the provisions of the <sup>M2</sup>Children and Young Persons Act (Northern Ireland) 1968 (except sections [<sup>F23</sup> 88(3) and 90] shall apply to an order under this subsection as if it were a

---

*Status: Point in time view as at 25/08/2000. There are multiple versions of this provision on screen.  
 These apply to different geographical extents. This version of this provision has been superseded.  
 Changes to legislation: There are currently no known outstanding effects for the  
 Children and Young Persons Act 1969, Section 25. (See end of Document for details)*

---

training school order made on the date of the care order or, as the case may be, [<sup>F24</sup>the supervision order].

<sup>F25</sup> . . .

- (3) When a person is received into the care of a local authority <sup>F26</sup> . . . or the managers of a training school in pursuance of an order under this section, the training school order, fit person order [<sup>F27</sup>, care order or supervision order] in consequence of which the order under this section was made shall cease to have effect; and the order under this section shall, unless it is discharged earlier, cease to have effect—
- (a) in the case of an order under subsection (1), on the earlier of the following dates, that is to say, the date when the person to whom the order relates attains the age of nineteen or the date when, by the effluxion of time, the fit person order aforesaid would have ceased to have effect or, as the case may be, the period of his detention under the training school order aforesaid would have expired;
- (b) in the case of an order under subsection (2), on the date when the care order [<sup>F28</sup>or supervision order] or aforesaid would have ceased to have effect by the effluxion of time or—
- <sup>F29</sup>(i) . . . . .
- (ii) if the order has effect by virtue of subsection (2) as a training school order and the period of supervision following the detention of the person in question in pursuance of the order expires before that date, when that period expires.
- (4) An order under this section shall be sufficient authority for the detention in Northern Ireland, by any constable or by a person duly authorised by a local authority <sup>F30</sup> . . . or the managers of a training school, of the person to whom the order relates until he is received into the care of the authority <sup>F30</sup> . . . or managers to whose care he is committed by the order.
- (5) In this section "training school" [<sup>F31</sup>and "training school order"] have the same meaning as in the said Act of 1968, and "fit person order" means an order under that Act committing a person to the care of a fit person.

#### Extent Information

**E2** This version of this provision extends to N.I. only; a separate version has been created for E.W. only

#### Textual Amendments

- F13** Words in s. 25(1) substituted (N.I.) by S.R. & O. (N.I.) 1973/256, art. 3, Sch. 2
- F14** Words in s. 25(1) substituted (4.11.1996) by S.I. 1995/756, art. 7(2); S.R. (N.I.) 1996/297, art. 3
- F15** Words in s. 25(1) substituted (14.10.1991) by S.I. 1991/2032, art. 8(1)(a)(ii).
- F16** Words in s. 25(1) repealed (4.11.1996) by S.I. 1995/756, art. 15, Sch.; S.R. (N.I.) 1996/297, art. 3
- F17** Words in s. 25(1)(2) substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), Sch. 9 para. 39(a)
- F18** S. 25(1A) inserted (4.11.1996) by S.I. 1995/756, art. 7(3); S.R. (N.I.) 1996/297, art. 3
- F19** Words substituted (N.I.) by virtue of S.I. 1973/2163, arts. 2(1), 11(5), Sch. 1
- F20** Words in s. 25(2) inserted (14.10.1991) by S.I. 1991/2032, art. 8(1)(b)(i)(ii).
- F21** Words inserted by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), Sch. 2 para. 15
- F22** Words in s. 25(2) omitted (14.10.1991) by virtue of S.I. 1991/2032, reg. 8(1)(b)(iii)
- F23** Words in s. 25(2) substituted (14.10.1991) by S.I. 1991/2032, reg. 8(1)(b)(iv)
- F24** Words in s. 25(2) substituted (14.10.1991) by S.I. 1991/2032, reg. 8(1)(b)(v).

---

**Status:** Point in time view as at 25/08/2000. There are multiple versions of this provision on screen. These apply to different geographical extents. This version of this provision has been superseded.  
**Changes to legislation:** There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 25. (See end of Document for details)

---

- F25** Words repealed (N.I.) by S.R. & O. (N.I.) 1973/256, art. 3, Sch. 2  
**F26** Words in s. 25(3) omitted (14.10.1991) by virtue of S.I. 1991/2032, **reg. 8(1)(c)(i)**.  
**F27** Words in s. 25(3) substituted (14.10.1991) by S.I. 1991/2032, **reg. 8(1)(c)(ii)**.  
**F28** Words in s. 25(3)(b) inserted (14.10.1991) by S.I. 1991/2032, **reg. 8(c)(iii)**  
**F29** S. 25(3)(b)(i) omitted (14.10.1991) by virtue of S.I. 1991/2032, **reg. 8(1)(c)(iv)**  
**F30** Words in s. 25(4) omitted (14.10.1991) by virtue of S.I. 1991/2032, **reg. 8(1)(d)**.  
**F31** Words in s. 25(5) substituted (N.I.) by S.R. & O. (N.I.) 1973/256, art. 3, Sch. 2

---

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

- C3** Ss. 25, 26: power to amend conferred (14.10.1991) by Children Act 1989 (c. 41, SIF 20), **s. 101(5)(a)**, (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**  
**C4** S. 25(2): Certain functions transferred (N.I.) by S.I. 1973/2163, **Sch. 1**  
**C5** S. 25(2) excluded by Army Act 1955 (c. 18, SIF 7:1), **Sch. 5A para. 7(4)**, Air Force Act 1955 (c. 19, SIF 7:1) Sch. 5A para. 7(4) and Naval Discipline Act 1957 (c. 53, SIF 7:1), **Sch. 4A para. 7(4)** (Schs. 5A para. 7(3) of the said Acts of 1955 and Sch. 4A of the 1957 Act substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(4), **Sch. 12 paras. 8, 10, 18** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

---

**Marginal Citations**

- M2** 1968 c. 34 (N.I.)

**Status:**

Point in time view as at 25/08/2000. There are multiple versions of this provision on screen. These apply to different geographical extents. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 25.