

Status: Point in time view as at 01/04/1997.

Changes to legislation: Health And Social Services And Social Security Adjudications Act 1983, SCHEDULE 2 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Section 9.

MISCELLANEOUS AMENDMENTS RELATING TO CHILDREN AND YOUNG PERSONS

Adoption Act 1958 (c. 5.)

- 1 The repeals—
- (a) of section 33 of the Adoption Act 1958 (inspection of books of registered adoption societies) by the ^{M1}Adoption Act 1976 and by the ^{M2}Adoption (Scotland) Act 1978; and
 - (b) of sections 34(4) and (5) and 34A(6A) and (6B) of that Act by the Adoption (Scotland) Act 1978,
- are hereby brought into force.

Marginal Citations

M1 1976 c. 36.

M2 1978 c. 28.

[^{F1} Children Act 1958 (c.65.)

Textual Amendments

F1 Sch. 2 para. 2 repealed (S.) by Foster Children (Scotland) Act 1984 (c. 56, SIF 20), s. 22(3), Sch. 3

- 2 In section 7 of the Children Act 1958 (removal of foster children kept in unsuitable surroundings) for subsection (4) there shall be substituted the following subsection.

“(4) A local authority may receive into their care under section fifteen of the Social Work (Scotland) Act 1968 (duty of local authority to provide for orphans, deserted children, etc), any child removed under this section, whether or not the circumstances of the child are such that they fall within paragraphs (a) to (c) of subsection (1) of the said section 15 and notwithstanding that he may appear to the local authority to be over the age of seventeen.”.]

[^{F2} Mental Health Act 1959 (c. 72.)]

Textual Amendments

F2 Sch. 2 paras. 3, 9–14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

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- 3 In subsection (1) of section 9 of the Mental Health Act 1959 (functions of children authorities) for the words “section 34” there shall be substituted the words “section 31”.

Social Work (Scotland) Act 1968 (c. 49.)

- [^{F3}4 In subsection (3A) of section 15 of the Social Work (Scotland) Act 1968 (duty of local authority to provide for orphans, deserted children, etc.)—
- (a) for the words “notwithstanding that no” there shall be substituted the words “whether or not a”; and
- (b) for paragraph (b) there shall be substituted the following paragraph—
- “(b) by a parent or guardian of the child in relation to whom no resolution under section 16 of this Act is in effect with respect to the child and who has given the local authority not less than 28 days’ notice in writing of his intention to do it.”.]

Textual Amendments

- F3** Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, Sch. 5 (with Sch. 3 paras. 4, 6); S.I. 1996/3201, art. 3(7) (as substituted (7.3.1997) by S.I. 1997/744, art. 2)

- [^{F4}5 In section 20 of that Act (duty of local authority to further the best interests of a child in their care)—
- (a) in subsection (1), for the words “, the local authority” there shall be substituted the words “or of a voluntary organisation, they”;
- (b) in subsection (2), for the words “a local authority” there shall be substituted the word “they”, and after the words “the local authority”, there shall be inserted the words “or voluntary organisation”; and
- (c) in subsection (3), after the word “authority”, there shall be inserted the words “or voluntary organisation”, and for the words “section 17(3)” there be substituted the words “sections 17(3), 17(3A)”.]

Textual Amendments

- F4** Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, Sch. 5 (with Sch. 3 paras. 4, 6); S.I. 1996/3201, art. 3(7) (as substituted (7.3.1997) by S.I. 1997/744, art. 2)

- [^{F5}6 In subsection (2) of section 23 of that Act (power of Secretary of State to consent to emigration of child in care of local authority in certain circumstances) for the words “or relative” there shall be substituted the words “relative or friend”.]

Textual Amendments

- F5** Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, Sch. 5 (with Sch. 3 paras. 4, 6); S.I. 1996/3201, art. 3(7) (as substituted (7.3.1997) by S.I. 1997/744, art. 2)

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7 In subsection (1) of section 31 of that Act (restriction on prosecution of children for offences) after the word “child” on each occurrence there shall be inserted the words “under the age of sixteen years”.

[^{F6}8 In section 42 of that Act (application from reporter to sheriff for findings)—

(a) in subsection (6) at the beginning there shall be inserted the words “Subject to subsection (6A) of this section,”;

(b) after subsection (6) there shall be inserted the following subsection—

“(6A) Notwithstanding the provisions of subsection (2)(c) of this section, where, in the course of the proceedings before the sheriff, the child and his parent accept any of the grounds in respect of which the application has been made, the sheriff may dispense with the hearing of evidence relating to that ground unless he is satisfied that in all the circumstances such evidence should be heard, and deem that ground to have been established for the purposes of this section.”; and

(c) in subsection (7) at the end there shall be added the words—

“except that where any of the grounds for the referral are accepted by the child’s parent, whether or not accepted by the child, then, notwithstanding subsection (6A) of this section, the sheriff may dispense with the hearing of evidence relating to that ground if he is satisfied that in all the circumstances it would be reasonable to do so.”]

Textual Amendments

F6 Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, **Sch. 5** (with Sch. 3 paras. 4, 6); S.I. 1996/3201, **art. 3(7)** (as substituted (7.3.1997) by S.I. 1997/744, **art. 2**)

^{F7} Family Law Reform Act 1969 (c. 46.)

Textual Amendments

F7 Sch. 2 paras. 3, 9-14, 20 (E.W.)repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

^{F8}9

Textual Amendments

F8 Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991)by Children Act 1989 (c. 41, SIF 20), s. 208(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Children and Young Persons Act 1969 (c. 54.)

^{F9}10

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Textual Amendments

F9 Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F10}11

Textual Amendments

F10 Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F11}12

Textual Amendments

F11 Sch. 2 paras. 3, 9-14, 20 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F12}13

Textual Amendments

F12 Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F13}14

Textual Amendments

F13 Sch. 1 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

15 In section 25 of that Act (transfers of children in care between England or Wales and Northern Ireland)—

^{F14}(a)

(b) in subsection (2), after the words “interim order” there shall be inserted the words “or by an order under subsection (1) above”.

Textual Amendments

F14 Sch. 2 para. 15(a) repealed (4.11.1996) by S.I. 1995/756, art. 15, Sch.; S.R. 1999/297, art. 3

16 In subsection (3) of section 32 of that Act (which creates an offence of compelling, persuading, inciting or assisting another person to become or continue to be absent as mentioned in subsection (1) of that section) the words “or (1A)” shall be inserted after the word “(1)”.

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- 17 Section 46 of that Act (discontinuance of approved schools etc. on establishment of community homes) and Schedule 3 to that Act (which relates to such schools and to other institutions) shall have effect as if—
- (a) any reference to a regional plan approved by the Secretary of State included a reference to a home being designated as a community home under section 31 of the ^{M3}Child Care Act 1980; and
 - (b) any reference to a planning area included a reference to the area of a local authority.

Marginal Citations

M3 1980 c. 5.

- 18 In section 65(3) of that Act (grants to voluntary organisations etc.) for the words from “such” to “institution” there shall be substituted the words “part of the premises occupied by the institution forms part of a controlled or assisted community home.”.
- 19 In section 73 of that Act (citation, commencement and extent) in subsection (6) (by virtue of which section 32(1) and (4), among other provisions, extend to the Channel Islands) after the words “32(1)” there shall be inserted the word “,(1A)”

^{F15}Matrimonial Causes Act 1973 (c. 18.)

Textual Amendments

F15 Sch. 2 paras. 3, 9–14, 20 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108((7), Sch. 15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F16}20

Textual Amendments

F16 Sch. 2 paras. 3, 9-14, 20 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F17} Powers of Criminal Courts Act 1973 (c. 62.)

Textual Amendments

F17 Sch. 2 paras. 21–24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch. 15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F18}21

Textual Amendments

F18 Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch. 15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

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Children Act 1975 (c. 72.)

- [^{F19}22 In section 4(1) of the Children Act 1975 (approval of adoption societies) for the word “desiring” there shall be substituted—
 - (a) in the first place where it occurs, the words “which is a voluntary organisation and desires”; and
 - (b) in the second place where it occurs, the word “desires”.]

Textual Amendments
F19 Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F20}23

Textual Amendments
F20 Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

^{F21}24

Textual Amendments
F21 Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

- 25 In section 51 of that Act (restriction on removal of child where applicant has provided home for three years), for the word “custody”—
 - (a) where it secondly occurs in subsection (1); and
 - (b) in subsection (2),
 there shall be substituted the words “care and possession”.

- 26 In section 52 of that Act (return of child taken away in breach of section 51) for the word “custody”, except where it first occurs, there shall be substituted the words “care and possession”.

^{F22}27

Textual Amendments
F22 Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

- [^{F23}28 In section 103 of that Act (guardians ad litem etc.)—
 - (a) in subsection (1), for the words “a panel” there shall be substituted the words “one or more panels”; and
 - (b) the following subsection shall be substituted for subsection (2)—
 - “(2) Regulations under subsection (1) may provide—

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- (a) for the defrayment by local authorities of expenses incurred by members of a panel established by virtue of that subsection; and
- (b) for the payment by local authorities of fees and allowances for members of such a panel.”]

Textual Amendments

F23 Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

Adoption Act 1976 (c. 36.)

- 29 In section 3(1) of the Adoption Act 1976 (approval of adoption societies) for the word “desiring” there shall be substituted—
 - (a) in the first place where it occurs, the words “which is a voluntary organisation and desires”; and
 - (b) in the second place where it occurs, the word “desires”.
- 30 Section 10 of that Act (inspection of books of approved adoption societies) is repealed.
- 31 In section 18(6) of that Act (which relates to the freeing of a child for adoption) for the words “who agrees to the adoption of the child” there shall be substituted the words “of the child who can be found”.
- 32 In section 24(2) of that Act (which prevents a court making an adoption order in relation to a child unless it is satisfied that the applicants have not, as respects the child, made any payment or given any reward to a person in contravention of section 57) for the words from “made” to “of” there shall be substituted the word “contravened”.
- 33 Subsections (4) and (5) of section 27 and (8) and (9) of section 28 of that Act (restrictions on removal of child) shall cease to have effect.
- F24³⁴

Textual Amendments

F24 Sch. 2 paras. 34, 37, 46-49, Sch. 4 Pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

35 The following section shall be inserted after section 58 of that Act—

“58A Information concerning adoption.

- (1) Every local authority and every approved adoption society shall transmit to the Secretary of State, at such times and in such form as he may direct, such particulars as he may require with respect—
 - (a) to their performance of all or any of their functions under the enactments mentioned in subsection (2) below; and

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- (b) to the children and other persons in relation to whom they have exercised those functions.
- (2) The enactments referred to in subsection (1) above are—
- (a) the Adoption Act 1958;
- (b) Part I of the Children Act 1975; and
- (c) this Act.
- (3) The clerk of each magistrates' court shall transmit to the Secretary of State, at such times and in such form as he may direct, such particulars as he may require with respect to the proceedings of the court under the enactments mentioned in subsection (2) above.
- (4) The Secretary of State shall publish from time to time abstracts of the particulars transmitted to him under subsections (1) and (3) above.”.
- 36 In subsection (4) of section 63 of that Act (appeals, etc.) for the words from the beginning to “appeal” there shall be substituted the words “No appeal shall lie to the High Court”.
- F2537

Textual Amendments

F25 Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

Adoption (Scotland) Act 1978 (c. 28.)

- 38 In section 3(1) of the Adoption (Scotland) Act 1978 (approval of adoption societies) for the word “desiring” there shall be substituted—
- (a) in the first place where it occurs, the words “which is a voluntary organisation and desires”; and
- (b) in the second place where it occurs, the word “desires”.
- 39 Section 10 of that Act (inspection of books of approved adoption societies) is repealed.
- 40 In section 18(6) of that Act (freeing of child for adoption) for the words “who agrees to the adoption of the child” there shall be substituted the words “of the child who can be found”.
- 41 In section 24(2) of that Act (no adoption order unless the court is satisfied that the applicants have not, as respects the child, made any payment or given any reward to a person in contravention of section 51) for the words from “made” to “of” there shall be substituted the word “contravened”.
- 42 Subsections (4) and (5) of section 27 and (8) and (9) of section 28 of that Act (restrictions on removal of child) shall cease to have effect.
- 43 In subsections (1) and (2) of sections 27 and 28 and in section 29 of that Act (restrictions on removal of child) for the word “custody” wherever it occurs there shall be substituted the words “care and possession”.

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- 44 In section 29 of that Act (return of child taken away) after “28”, in each place where it occurs in subsections (1) and (2), there shall be inserted “, or section 27 or 28 of the ^{M4}Adoption Act 1976”.

Marginal Citations

M4 1976 c. 36.

- 45 In section 65(1) of that Act—
- (a) in the definition of “adoption order”, after “20” there shall be inserted “, 27 and 28”; and
 - (b) at the end of the definition of “order freeing a child for adoption” there shall be added “and, in section 27(2), includes an order under section 18 of the ^{M5}Adoption Act 1976 (order freeing a child for adoption made in England and Wales)”.

Marginal Citations

M5 1976 c. 36.

F26 Child Care Act 1980 (c. 5.)

Textual Amendments

F26 Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F27 46

Textual Amendments

F27 Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F28 47

Textual Amendments

F28 Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F29 48

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Textual Amendments

F29 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3049

Textual Amendments

F30 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3150

Textual Amendments

F31 Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48 and Sch. 9 para. 5 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(2)(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3251

Textual Amendments

F32 Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108((7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3352

Textual Amendments

F33 Sch. 2 paras. 34, 37, 46-49, 51-59. Sch. 4 Pt. II paras. 38-48. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3453

Textual Amendments

F34 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3554

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Textual Amendments

F35 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3655

Textual Amendments

F36 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s.108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3756

Textual Amendments

F37 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3857

Textual Amendments

F38 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3958

Textual Amendments

F39 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F4059

Textual Amendments

F40 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Status: Point in time view as at 01/04/1997.

Changes to legislation: Health And Social Services And Social Security Adjudications Act 1983, SCHEDULE 2 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F⁴¹ Interpretation

Textual Amendments

F41 Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48 and Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

- [^{F42}60 The word “actual” shall be inserted before the word “custody”, wherever it occurs in—
- (a) sections 34(1) and (2) and 34A(1) and (2) of the ^{M6}Adoption Act 1958;
 - (b) sections 30(1) and (2), 41(1) and (2) and 42(1) and (2) of the ^{M7}Children Act 1975; and
 - (c) sections 27(1) and (2), 28(1) and (2), 29(1) and (2) and 30(1)(a) and (b) of the ^{M8}Adoption Act 1976.]

Textual Amendments

F42 Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48, Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1991 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Marginal Citations

M6 1958 c. 5 (7 Eliz. 2)
M7 1975 c. 72.
M8 1976 c. 36.

- [^{F43}61 In section 57(2) of the Adoption Act 1958, for the words “care or possession”, in both places where they occur, there shall be substituted the words “actual custody”.]

Textual Amendments

F43 Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48, Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

^{F44}62

Textual Amendments

F44 Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48, Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Status:

Point in time view as at 01/04/1997.

Changes to legislation:

Health And Social Services And Social Security Adjudications Act 1983, SCHEDULE 2 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.