



Health And Social Services And Social Security Adjudications Act 1983

1983 CHAPTER 41

PART II

CHILDREN AND YOUNG PERSONS

[^{F15} Closure of controlled or assisted community home.

The following section shall be inserted after section 43 of the Child Care Act 1980—

“ Closure by local authority of controlled or assisted community home.

- (1) The local authority specified in the instrument of management for a controlled or assisted community home may give the Secretary of State and the voluntary organisation by which the home is provided not less than two years' notice in writing of their intention to withdraw their designation of the home as a controlled or assisted community home.
- (2) A notice under subsection (1) above shall specify the date on which the designation is to be withdrawn.
- (3) Where—
 - (a) a notice is given under subsection (1) above in respect of a controlled or assisted community home; and
 - (b) the body of managers for the home give notice in writing to the Secretary of State that they are unable or unwilling to continue as managers until the date specified; and
 - (c) their notice is not withdrawn,

the Secretary of State may by order revoke the instrument of management from such date earlier than that specified under subsection (2) above as may be specified in the order.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: *Health And Social Services And Social Security Adjudications Act 1983, Section 5 is up to date with all changes known to be in force on or before 29 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)*

- (4) Before making an order under subsection (3) above the Secretary of State shall consult the local authority and the voluntary organisation.
- (5) Where a notice has been given under subsection (1) above and is not withdrawn, the instrument of management for the home shall cease to have effect on the relevant date and accordingly the home shall cease to be a controlled or assisted community home on that date.
- (6) In subsection (5) above “the relevant date” means the date specified in the notice under subsection (1) above or the earlier date specified in the order under subsection (3) above.”.]

Textual Amendments

- F1** S. 5 repealed (*prosp.*) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(2)(7), [Sch. 15](#), (with s. 108(6), Sch. 14 paras. 1(1), 27(4))

Status:

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