



# Children and Young Persons Act 1933

1933 CHAPTER 12 23 and 24 Geo 5

## PART IV **E+W**

### REMAND HOMES, APPROVED SCHOOLS, AND PERSONS TO WHOSE CARE CHILDREN AND YOUNG PERSONS MAY BE COMMITTED

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

- C1** Pt. IV amended by [Local Authority Social Services Act 1970 \(c. 42\)](#), s. 2(1), **Sch. 1** and (1.4.1981) [Child Care Act 1980 \(c. 5\)](#), **ss. 78** (1)(2)(b), 79 (1)(4)(5)(b). ([Child Care Act 1980 \(c.5\)](#) repealed (14.10.1991) with saving by [Children Act 1989 \(c.41, SIF 20\)](#), s. 108(6)(7), **Sch. 14** paras. 21, 27(4), **Sch. 15**; S.I. 1991/828, **art. 3(2)**)

#### *Remand Homes*

#### 77 **Provision of remand homes by councils of counties and county boroughs.** **E+W**

(1) ..... <sup>F1</sup>

<sup>F2</sup>(2) The authority or persons responsible for the management of any institution other than a prison may, subject in the case of an institution supported wholly or partly out of public funds to the consent of the Government department concerned, arrange with the council of a county or county borough for the use of the institution, or any part thereof, as a remand home upon such terms as may be agreed.

[<sup>F3F2</sup>(2A) The council of a county or county borough may contribute, towards the expenditure incurred by any society or person in establishing, enlarging or improving an institution for the purpose of its being used, in accordance with an arrangement with the council, as a remand home for that county or county borough, such sums and subject to such conditions, as the council think fit; and subsection (5) of section seventy-seven of the <sup>M1</sup>Criminal Justice Act 1948, shall apply to any sums so paid as it applies to the payments referred to in that subsection.]

(3) ..... <sup>F1</sup>

*Status: Point in time view as at 01/10/1992.*

*Changes to legislation: Children and Young Persons Act 1933, Part IV is up to date with all changes known to be in force on or before 15 May 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) ..... F4

**Textual Amendments**

- F1 Ss. 26(6), 29(3), 32, 35, 44(2), 54, 55(2), 57, 62–76, 77(1)(3), 78, 79(4), 81(2), 82–85, 90, 91, 94, 107(2), 108(2)(3), Sch. 4 paras. 4–13 repealed by Children and Young Persons Act 1969 (c. 54), s. 72, **Sch. 6**
- F2 S. 77 (2)(2A) repealed (prosp.) by Children and Young Persons Act 1969 (c. 54), ss. 72, 73(2), **Sch. 6**
- F3 S. 77(2A) added by Criminal Justice Act 1948 (c. 58), **Sch. 9**
- F4 S. 77(4) repealed by Children and Young Persons Act 1969 (c. 54), ss. 72, 73(2), **Sch. 6**

**Marginal Citations**

- M1 1948 c. 58.

78 ..... F5 **E+W**

**Textual Amendments**

- F5 Ss. 26(6), 29(3), 32, 35, 44(2), 54, 55(2), 57, 62–76, 77(1)(3), 78, 79(4), 81(2), 82–85, 90, 91, 94, 107(2), 108(2)(3), Sch. 4 paras. 4–13 repealed by Children and Young Persons Act 1969 (c. 54), s. 72, **Sch. 6**

*Approved Schools*

**F679 Approval of schools. **E+W****

(1) The managers of any school intended for the education and training of persons to be sent there in pursuance of this Act may apply to the Secretary of State to approve the school for that purpose, and the Secretary of State may, after making such inquiries as he thinks fit, approve the school for that purpose and issue a certificate of approval to the managers.

<sup>F6</sup>(2) If at any time the Secretary of State is dissatisfied with the condition or management of an approved school, or considers its continuance as an approved school unnecessary, he may by notice served on the managers withdraw the certificate of approval of the school as from a date specified in the notice, not being less than six months after the date of the notice, and upon the date so specified (unless the notice is previously withdrawn) the withdrawal of the certificate shall take effect and the school shall cease to be an approved school:

Provided that the Secretary of State, instead of withdrawing the certificate of approval, may by a notice served on the managers of the school prohibit the admission of persons to the school for such time as may be specified in the notice, or until the notice is revoked.

<sup>F6</sup>(3) The managers of an approved school may, on giving six months’ notice in writing to the Secretary of State of their intention so to do, surrender the certificate of approval of the school, and at the expiration of six months from the date of the notice (unless the notice is previously withdrawn), the surrender of the certificate shall take effect, and the school shall cease to be an approved school.

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(4) ..... F7

<sup>F6</sup>(5) The Secretary of State shall cause any grant of a certificate of approval of an approved school, and any notice of the withdrawal of, or intention to surrender, such a certificate, to be advertised within one month from the date thereof in the London Gazette.

**Textual Amendments**

**F6** S. 79(1)-(3)(5) repealed (prosp.) by Children and Young Persons Act 1969 (c. 54), ss. 72, 73(2) Sch. 6

**F7** Ss. 26(6), 29(3), 32, 35, 44(2), 54, 55(2), 57, 62–76, 77(1)(3), 78, 79(4), 81(2), 82–85, 90, 91, 94, 107(2), 108(2)(3), Sch. 4 paras. 4–13 repealed by Children and Young Persons Act 1969 (c. 54), s. 72, Sch. 6

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

**C2** Power to apply s. 79 conferred by Criminal Justice Act 1948 (c. 58), s. 49(2)

**C3** S. 79(2) applied by Criminal Justice Act 1961 (c. 39), s. 18(2)

<sup>F8</sup>**80 Provision of approved schools by local authorities. E+W**

(1) A local authority may, with the approval of the Secretary of State, undertake, or combine with any other local authority in undertaking, or contribute such sums of money upon such conditions as they may think fit towards, the purchase, establishment, building, alteration, enlargement, rebuilding or management of an approved school:

Provided that, before giving his approval, the Secretary of State shall satisfy himself that the proposed expenditure is reasonable and, where it is proposed to purchase, build or establish a new school, that there is a deficiency of approved school accommodation which cannot properly be remedied in any other way.

(2) In the event of a deficiency of approved school accommodation, it shall be the duty of every local authority concerned to take, either alone or in combination with other local authorities, appropriate steps under this section to remedy the deficiency.

**Textual Amendments**

**F8** S. 80 repealed (prosp.) by Children and Young Persons Act 1969 (c. 54), ss. 72, 73(2), Sch. 6

**81 Classification, administration, and management. E+W**

<sup>F9</sup>(1) The Secretary of State may classify approved schools according to the age of the persons for whom they are intended, the religious persuasion of such persons, the character of the education and training given therein, their geographical position, and otherwise as he thinks best calculated to secure that a person sent to an approved school is sent to a school appropriate to his case, or as may be necessary or the purposes of this Act.

(2) ..... F10

<sup>F9</sup>(3) The provisions set out in the Fourth Schedule to this Act shall have effect in relation to the administration of approved schools and the treatment of persons sent thereto.

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**Textual Amendments**

- F9** S. 81(1)(3) repealed (prosp.) by Children and Young Persons Act 1969 (c. 54), ss. 72, 73(2), **Sch. 6**.
- F10** Ss. 26(6), 29(3), 32, 35, 44(2), 54, 55(2), 57, 62–76, 77(1)(3), 78, 79(4), 81(2), 82–85, 90, 91, 94, 107(2), 108(2)(3), Sch. 4 paras. 4–13 repealed by Children and Young Persons Act 1969 (c. 54), s. 72, **Sch. 6**

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

- C4** S. 81 extended by Children and Young Persons Act 1963 (c. 37), s. **11(2)(4)**

82— ..... <sup>F11</sup> **E+W**  
85.

**Textual Amendments**

- F11** Ss. 26(6), 29(3), 32, 35, 44(2), 54, 55(2), 57, 62–76, 77(1)(3), 78, 79(4), 81(2), 82–85, 90, 91, 94, 107(2), 108(2)(3), Sch. 4 paras. 4–13 repealed by Children and Young Persons Act 1969 (c. 54), s. 72, **Sch. 6**

86— ..... <sup>F12</sup> **E+W**  
89.

**Textual Amendments**

- F12** Ss. 86–89, 92, 93 repealed by Child Care Act 1980 (c. 5), s. 89, **Sch. 6**

90, 91. .... <sup>F13</sup> **E+W**

**Textual Amendments**

- F13** Ss. 26(6), 29(3), 32, 35, 44(2), 54, 55(2), 57, 62–76, 77(1)(3), 78, 79(4), 81(2), 82–85, 90, 91, 94, 107(2), 108(2)(3), Sch. 4 paras. 4–13 repealed by Children and Young Persons Act 1969 (c. 54), s. 72, **Sch. 6**

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