
STATUTORY INSTRUMENTS

1988 No. 913

**The Magistrates' Courts (Children
and Young Persons) Rules 1988**

PART VII

MISCELLANEOUS

Service of contribution orders etc.

38. A contribution order, an order attaching an affiliation order or an arrears order made on a parent or other person liable to make contributions in respect of, or to maintain, a child or young person, may be served by any constable or officer of a local authority by delivering a copy of the order to the person on whom it is made, or by leaving the same at the person's last known or usual place of abode with some other person for him, or by sending the same by registered post or by recorded delivery service to him at his last known or usual place of abode.

Notice of order made under section 49 of the Child Care Act 1980.

39. Where an order is made under section 49(1) of the Act of 1980 in respect of an affiliation order, payments under which have been ordered to be made to a collecting officer, notice of the making of the order shall be given by the clerk of the court to the collecting officer, either personally or by written notice sent or delivered to his address by post or otherwise.

Issue of summons or warrant to enforce attendance of parent or guardian.

40. Where a child or young person is charged with an offence, or is for any other reason brought before a court, a summons or warrant may be issued by a court to enforce the attendance of a parent or guardian under section 34 of the Act of 1933, in the same manner as if an information were laid upon which a summons or warrant could be issued against a defendant under the Magistrates' Courts Act 1980 and a summons to the child or young person may include a summons to the parent or guardian to enforce his attendance for the said purpose.

Payment of money by person subject to attendance centre order.

41.—(1) Where a person under the age of seventeen is ordered, under section 17 of the Criminal Justice Act 1982(1), to attend at an attendance centre in default of payment of a sum of money, payment may thereafter be made—

- (a) of the whole of the said sum, to the clerk of the court which made the order; or
- (b) of the whole or, subject to paragraph (2), any part of the said sum, to the officer in charge of the attendance centre specified in the order.

(2) The officer mentioned in paragraph (1)(b) shall not be required to accept a payment of part of the said sum unless it is an amount required to secure a reduction of one complete hour, or some multiple thereof, in the period of attendance specified in the order.

(3) The clerk of the court shall, on receiving a payment under paragraph (1), forthwith notify the officer mentioned in paragraph (1)(b).

(4) The officer mentioned in paragraph (1)(b) shall pay any money received by him under that paragraph to the clerk of the court which made the order and shall note the receipt of the money in the register kept at the attendance centre.

Form of warrant where young person is committed to remand centre or prison.

42. Where a young person is committed to a remand centre under section 22(5) or section 23(2) of the Act of 1969 or is committed to a prison under the said section 23(2), the court shall include in the order of committal a certificate that the young person is of so unruly a character that he cannot safely be committed to the care of a local authority.

Forms.

43.—(1) The forms in Schedule 2, or forms to the like effect, may be used with such variation as the circumstances may require, and may be so used in lieu of forms contained in the Schedule to the Magistrates' Courts (Forms) Rules 1981(2).

(2) For the purpose of facilitating the performance by supervisors of their functions under section 14 of the Act of 1969 of advising, assisting and befriending persons subject to supervision orders the following additional requirements to be complied with by the person subject to the order are prescribed for the purpose of inclusion (if the court considers it appropriate) in supervision orders, that is to say—

- (a) in the case of a supervision order made under section 7(7) of the Act of 1969 or a supervision order made on the occasion of the discharge of a care order made under that subsection, either or both of the requirements set out in paragraph 3(a), and
- (b) in the case of any other supervision order, one or more of the requirements set out in paragraph 3(a) and (b).

(3) The requirements mentioned in paragraph (2) are—

- (a) “That he/she shall inform the supervisor at once of any change of his/her residence or employment”;
- “That he/she shall keep in touch with the supervisor in accordance with such instructions as may from time to time be given by the supervisor and, in particular, that he/she shall, if the supervisor so requires, receive visits from the supervisor at his/her home”; and
- (b) “That he/she shall be medically examined in accordance with arrangements made by the supervisor.”.