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STATUTORY INSTRUMENTS

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**2005 No. 467**

**The Data Protection (Subject Access Modification)  
(Social Work) (Amendment) Order 2005**

**Amendments to the Schedule to the 2000 Order**

5.—(1) The Schedule to the 2000 Order is amended in accordance with this article.

(2) In paragraph 1(p)(1), for “section 41 of the Children Act 1989”, substitute “rule 4.10 of the Family Proceedings Rules 1991 or rule 10 of the Family Proceedings Courts (Children Act 1989) Rules 1991”.

(3) After paragraph 1(q), insert the following new sub-paragraphs—

“(r) data processed by any officer of the Children and Family Court Advisory and Support Service for the purpose of his functions under section 7 of the Children Act 1989(2), rules 4.11 and 4.11B of the Family Proceedings Rules 1991(3), and rules 11 and 11B of the Family Proceedings Courts (Children Act 1989) Rules 1991(4);

(s) data processed by any officer of the service appointed as guardian ad litem under rule 9.5(1) of the Family Proceedings Rules 1991(5);

(t) data processed by the Children and Family Court Advisory and Support Service for the purpose of its functions under section 12(1) and (2) and section 13(1), (2) and (4) of the Criminal Justice and Court Services Act 2000(6).”

(4) In paragraph 2—

(a) after “probation officer”, insert “, officer of the Children and Family Court Advisory and Support Service”, and

(b) for “or the Children’s Hearings (Scotland) Rules 1996”, substitute “, the Children’s Hearings (Scotland) Rules 1996 or the Family Proceedings Rules 1991”.

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- (1) The Children and Family Court Advisory and Support Service (Miscellaneous Amendments) Order 2002 (S.I. 2002/3220) substituted a new paragraph (p) into paragraph 1 of the Schedule to the 2000 Order, which now provides that “data processed by any children’s guardian appointed under section 41 of the Children Act 1989, by any guardian ad litem appointed under Article 60 of the Children (Northern Ireland) Order 1995 or Article 66 of the Adoption (Northern Ireland) Order 1987 or by a safeguarder appointed under section 41 of the Children (Scotland) Act 1995”.
- (2) Section 7 of the Children Act 1989 was amended by section 74 of, and Part II of Schedule 7 to, the Criminal Justice and Court Service Act 2000 to make provision for the preparation of reports to the court by an officer of the Children and Family Court Advisory and Support Service.
- (3) S.I. 1991/1247, as amended by rule 16 of the Family Proceedings (Amendment) Rules 2001 (S.I. 2001/821).
- (4) S.I. 1991/1395, as amended by the Family Proceedings Courts (Children Act 1989) (Amendment) Rules 2001 (S.I. 2001/818). Rules 10 and 11 of the 1991 Rules were amended by rule 1 of the 2001 Rules. Rules 11A and 11B were inserted by rules 2 and 7 of the 2001 Rules.
- (5) Rule 9.5 was amended by rule 31(a) of the Family Proceedings (Amendment) Rules 2001 (S.I. 2001/821).
- (6) 2000 c. 43.