

## SCHEDULE

### PART II

1. The relevant person is a parent of a child who at any time has been made the subject of an order under—

- (a) section 31(1) of the Act (care and supervision orders); or
- (b) article 50(1) of the Children (Northern Ireland) Order 1995 (care and supervision orders).

2. One of the following orders has been made at any time with respect to a child so as to remove the child from the relevant person's care or prevent the child living with the person—

- (a) an order under section 31(1)(a) of the Act or an order under section 1(3)(c) or 7(7)(a) of the Children and Young Persons Act 1969 (care orders)(1);
- (b) any other order that would have been deemed to be a care order by virtue of paragraph 15 of Schedule 14 to the Act (transitional provisions for children in compulsory care) had it been in force immediately before the day on which Part IV of the Act came into force(2);
- (c) a supervision order which imposed a residence requirement under paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000(3) or section 12AA of the Children and Young Persons Act 1969(4) (requirement to live in local authority accommodation);
- (d) an order under article 50(1)(a) of the Children (Northern Ireland) Order 1995; or
- (e) a fit person order, parental rights order or a training school order under the Children and Young Persons Act (Northern Ireland) 1968(5).

3. A supervision requirement has been imposed under—

- (a) section 44 of the Social Work (Scotland) Act 1968(6); or
- (b) section 70 of the Children (Scotland) Act 1995

at any time with respect to any child for the purpose of removing that child from the relevant person's care.

4. The relevant person's rights and powers with respect to the child have at any time been vested in a local authority in Scotland—

- (a) under section 16 of the Social Work (Scotland) Act 1968(7); or
- (b) pursuant to a parental responsibilities order under section 86 of the Children (Scotland) Act 1995.

5. The relevant person has at any time been refused registration in relation to a voluntary home or a children's home, or carried on, was otherwise concerned with the management of, or had any financial interest in, a voluntary home or a children's home the registration of which was cancelled, under, as the case may be—

- (a) paragraph 1 of Schedule 5 to the Act(8);

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(1) Section 1(3) of the Act was repealed by the Children Act 1989. Section 7(7)(a) of the Children and Young Persons Act 1969 was repealed by the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).

(2) Part IV of the Act came into force on 14 October 1991.

(3) 2000 c. 6.

(4) Section 12AA was repealed by the Powers of Criminal Courts (Sentencing) Act 2000.

(5) 1968 c. 34 (N.I.). The provisions relating to these orders were repealed by the Children (Northern Ireland) Order 1995 and the Criminal Justice (Children) (Northern Ireland) Order 1998.

(6) Section 44 was repealed by the Children (Scotland) Act 1995.

(7) Section 16 was repealed by the Children (Scotland) Act 1995.

(8) This provision and those mentioned in the following sub-paragraph are repealed by the Care Standards Act 2000.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (b) paragraph 1 or 4 of Schedule 6 to the Act;
  - (c) section 127 of the Children and Young Persons Act (Northern Ireland) 1968<sup>(9)</sup>; or
  - (d) Article 80, 82, 96 or 98 of the Children (Northern Ireland) Order 1995.
6. A prohibition has been imposed in respect of the relevant person under—
- (a) section 69 of the Act, section 10 of the Foster Children Act 1980<sup>(10)</sup> or section 4 of the Children Act 1958 (power to prohibit private fostering)<sup>(11)</sup>;
  - (b) Article 110 of the Children (Northern Ireland) Order 1995 (power to prohibit private fostering); or
  - (c) section 10 of the Foster Children (Scotland) Act 1984 (power to prohibit the keeping of foster children).
7. The relevant person is a person in respect of whom a notice in writing has been given by a Health and Social Services Board under section 1(3) of the Children and Young Persons Act (Northern Ireland) 1968 (withholding consent to the care and maintenance of the child being undertaken by a person)<sup>(12)</sup>;
8. The relevant person has at any time been refused registration in respect of the provision of nurseries or day care or for child minding or had any such registration cancelled under, as the case may be—
- (a) section 1 or 5 of the Nurseries and Child-Minders Regulation Act 1948<sup>(13)</sup>;
  - (b) Part X or XA of the Act<sup>(14)</sup>;
  - (c) Part XI of the Children (Northern Ireland) Order 1995; or
  - (d) section 11(5) or 15 of the Children and Young Persons Act (Northern Ireland) 1968<sup>(15)</sup>.
9. The relevant person has at any time been refused registration or had such registration cancelled—
- (a) under section 62 of the Social Work (Scotland) Act 1968 (registration of residential and other establishments)<sup>(16)</sup>; or
  - (b) in respect of a care home service, child minding or day care of children, under Part I of the Regulation of Care (Scotland) Act 2001.
10. The relevant person has at any time been made the subject of an admission order, a guardianship order, a supervision and treatment order or an order for his or her absolute discharge in accordance with section 5 of the Criminal Procedure (Insanity) Act 1964<sup>(17)</sup> or section 6, 14 or 14A of the Criminal Appeal Act 1968<sup>(18)</sup>, as the case may be.

<sup>(9)</sup> Section 127 was repealed by the Children (Northern Ireland) Order 1995.

<sup>(10)</sup> The Foster Children Act 1980 was repealed by the Children Act 1989.

<sup>(11)</sup> Part I of the Children Act 1958 was repealed by the Foster Children Act 1980.

<sup>(12)</sup> Section 1(3) was amended by Schedule 16 to the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I.1972/1265) (N.I. 14) and was repealed by the Children (Northern Ireland) Order 1995.

<sup>(13)</sup> 1948 c. 53. Section 1 was amended by section 60 of the Health Services and Public Health Act 1968 (c. 46) and was repealed by the Children Act 1989.

<sup>(14)</sup> Part X of the Children Act 1989 ceased to extend to Wales subject to transitional, transitory and savings provision in the Schedule to the Care Standards Act 2000 (Commencement No. 8 (Wales) and Transitional, Savings and Consequential Provisions) Order 2002 (S.I. 2002/920).

<sup>(15)</sup> These sections were repealed by the Children (Northern Ireland) Order 1995.

<sup>(16)</sup> Section 62 was amended by section 3 of the Registered Establishments (Scotland) Act 1987 (c. 40).

<sup>(17)</sup> 1964 c. 84. Section 5 was substituted by section 3 of the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25).

<sup>(18)</sup> 1968 c. 69. Sections 6 and 14 were substituted and section 14A was inserted by section 4 of the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991.