

SCHEDULE 1

Regulations 3(2) and 3(11)

ORDERS ETC. RELATING TO THE CARE OF CHILDREN

**Care, supervision and permanence orders**

1. An order under section 31(1)(a) of the 1989 Act (care order).

**Commencement Information**

**I1** Sch. 1 para. 1 in force at 6.12.2022 in accordance with **reg. 1(2)**

2. An order under section 31(1)(b) of the 1989 Act (supervision order).

**Commencement Information**

**I2** Sch. 1 para. 2 in force at 6.12.2022 in accordance with **reg. 1(2)**

3. An order under article 50(1)(a) of the Children (Northern Ireland) Order 1995(1) (care order).

**Commencement Information**

**I3** Sch. 1 para. 3 in force at 6.12.2022 in accordance with **reg. 1(2)**

4. An order under article 50(1)(b) of the Children (Northern Ireland) Order 1995 (supervision order).

**Commencement Information**

**I4** Sch. 1 para. 4 in force at 6.12.2022 in accordance with **reg. 1(2)**

5. An order under section 3(3) of the Children and Young Persons (Guernsey) Law 1967(2) (fit person order or special care order).

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 6.12.2022 in accordance with **reg. 1(2)**

6. An order made further to an application as permitted under section 48(3) of the Children (Guernsey and Alderney) Law 2008(3) (community parenting order).

**Commencement Information**

**I6** Sch. 1 para. 6 in force at 6.12.2022 in accordance with **reg. 1(2)**

(1) S.I. 1995/755 (N.I. 2).

(2) Orders in Council Vol. XXI, p. 34. Section 3(3) was repealed by section 3 of, and paragraph 15(1) of Schedule 1 to, the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009 (No. VII of 2010), subject to savings and transitional provisions in section 4 of, and Schedule 2 to, that Ordinance.

(3) No. XIV of 2009.

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7. An order under section 31(1)(a) of the Children and Young Persons Act 2001(4) (an Act of Tynwald) (care order).

**Commencement Information**

I7 Sch. 1 para. 7 in force at 6.12.2022 in accordance with reg. 1(2)

8. An order under section 31(1)(b) of the Children and Young Persons Act 2001 (an Act of Tynwald) (supervision order).

**Commencement Information**

I8 Sch. 1 para. 8 in force at 6.12.2022 in accordance with reg. 1(2)

9. An order or determination specified in Schedule 4 to the Children (Jersey) Law 2002(5).

**Commencement Information**

I9 Sch. 1 para. 9 in force at 6.12.2022 in accordance with reg. 1(2)

10. Any order that would have been deemed to be a care order by virtue of paragraph 15 of Schedule 14 to the 1989 Act (transitional provisions for children in compulsory care) had it been in force immediately before the day on which Part 4 of the 1989 Act came into force.

**Commencement Information**

I10 Sch. 1 para. 10 in force at 6.12.2022 in accordance with reg. 1(2)

11. A parental responsibility order made under article 7 of the Children (Northern Ireland) Order 1995.

**Commencement Information**

I11 Sch. 1 para. 11 in force at 6.12.2022 in accordance with reg. 1(2)

12. A child protection order under section 57 of the Children (Scotland) Act 1995(6) or under section 37 of the Children's Hearings (Scotland) Act 2011(7).

**Commencement Information**

I12 Sch. 1 para. 12 in force at 6.12.2022 in accordance with reg. 1(2)

13. A permanence order made, or treated as being made, under section 80 of the Adoption and Children (Scotland) Act 2007(8).

(4) 2001 c. 20 (an Act of Tynwald). An Act of Tynwald means an Act passed by the Isle of Man Parliament.

(5) Jersey Law 50/2002.

(6) 1995 c. 36. Section 57 was repealed by section 203(2) of, and Schedule 6 to, the Children's Hearings (Scotland) Act 2011 (asp 1).

(7) 2011 asp 1.

(8) 2007 asp 4.

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 6.12.2022 in accordance with **reg. 1(2)**

**Commencement Information**

- I1** Sch. 1 para. 1 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I2** Sch. 1 para. 2 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I3** Sch. 1 para. 3 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I4** Sch. 1 para. 4 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I5** Sch. 1 para. 5 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I6** Sch. 1 para. 6 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I7** Sch. 1 para. 7 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I8** Sch. 1 para. 8 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I9** Sch. 1 para. 9 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I10** Sch. 1 para. 10 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I11** Sch. 1 para. 11 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I12** Sch. 1 para. 12 in force at 6.12.2022 in accordance with **reg. 1(2)**
- I13** Sch. 1 para. 13 in force at 6.12.2022 in accordance with **reg. 1(2)**

**Orders imposing a residence or exclusion requirement**

**14.** A supervision order which imposes a residence requirement under paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000<sup>(9)</sup>, section 12AA of the Children and Young Persons Act 1969<sup>(10)</sup> (requirement to live in local authority accommodation), paragraph 17 of Schedule 1 to the Criminal Justice and Immigration Act 2008<sup>(11)</sup> or paragraph 25 of Schedule 6 to the Sentencing Code.

**Commencement Information**

**I14** Sch. 1 para. 14 in force at 6.12.2022 in accordance with **reg. 1(2)**

**15.** A fit person order under section 91, 92, 95 or 97 of the Children and Young Persons Act (Northern Ireland) 1968<sup>(12)</sup>, a parental rights order under section 104 or a training school order under section 78, sections 83 to 90, section 95 or section 97 of that Act.

**Commencement Information**

**I15** Sch. 1 para. 15 in force at 6.12.2022 in accordance with **reg. 1(2)**

**16.** An exclusion order under section 76 of the Children (Scotland) Act 1995.

(9) 2000 c. 6. Repealed by section 149 of and Schedule 28 to the Criminal Justice and Immigration Act 2008 (c. 4), subject to savings and transitional provisions specified in paragraph 1(1) of Schedule 27 to that Act.

(10) 1969 c. 54. Repealed by section 165 of and Part 1 of Schedule 12 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).

(11) 2008 c. 4. Repealed by section 413 of and Schedule 28 to the Sentencing Act 2020 (c. 17), subject to savings and transitional provisions specified in sections 412 and 416 of, and paragraphs 1, 2, 4 and 5 of Schedule 27 to, that Act.

(12) The provisions relating to these orders were repealed by S.I. 1995/755 (N.I. 2) and S.I. 1998/1504 (N.I. 9).

**Changes to legislation:** There are currently no known outstanding effects for the The Child Minding and Day Care (Disqualification) (No. 2) (Wales) Regulations 2022, SCHEDULE 1. (See end of Document for details)

**Commencement Information**

**I16** Sch. 1 para. 16 in force at 6.12.2022 in accordance with **reg. 1(2)**

**17.** A supervision order which imposes a residence requirement under paragraph 5 of Schedule 9 to the Children and Young Persons Act 2001 (an Act of Tynwald) (requirement to live in accommodation provided by the Department of Health and Social Security)(**13**).

**Commencement Information**

**I17** Sch. 1 para. 17 in force at 6.12.2022 in accordance with **reg. 1(2)**

**18.** An order made at any time imposing a supervision requirement with respect to a child so as to remove that child from P’s care, under—

- (a) section 44 of the Social Work (Scotland) Act 1968(**14**), or
- (b) section 70 of the Children (Scotland) Act 1995(**15**).

**Commencement Information**

**I18** Sch. 1 para. 18 in force at 6.12.2022 in accordance with **reg. 1(2)**

**19.** An order made at any time vesting P’s rights and powers with respect to a child in a local authority in Scotland—

- (a) under section 16 of the Social Work (Scotland) Act 1968(**16**), or
- (b) pursuant to a parental responsibilities order under section 86 of the Children (Scotland) Act 1995(**17**).

**Commencement Information**

**I19** Sch. 1 para. 19 in force at 6.12.2022 in accordance with **reg. 1(2)**

**20.** A compulsory supervision order, within the meaning of section 83 of the Children’s Hearings (Scotland) Act 2011, or an interim compulsory supervision order, within the meaning of section 86 of that Act, made at any time with respect to a child so as to remove that child from P’s care.

**Commencement Information**

**I20** Sch. 1 para. 20 in force at 6.12.2022 in accordance with **reg. 1(2)**

**Commencement Information**

**I14** Sch. 1 para. 14 in force at 6.12.2022 in accordance with **reg. 1(2)**

**I15** Sch. 1 para. 15 in force at 6.12.2022 in accordance with **reg. 1(2)**

(13) The Department of Health and Social Security on the Isle of Man is, since 2021, known as the Department of Health and Social Care.

(14) 1968 c. 49. Section 44 was repealed by section 105(5) of, and Schedule 5 to, the Children (Scotland) Act 1995.

(15) Section 70 was repealed by section 203(2) of, and Schedule 6 to, the Children’s Hearings (Scotland) Act 2011.

(16) Section 16 was repealed by section 105(5) of, and Schedule 5 to, the Children (Scotland) Act 1995.

(17) Section 86 was repealed by section 120(2) of, and Schedule 3 to, the Adoption and Children (Scotland) Act 2007 (asp 4).

- I16** Sch. 1 para. 16 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)
- I17** Sch. 1 para. 17 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)
- I18** Sch. 1 para. 18 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)
- I19** Sch. 1 para. 19 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)
- I20** Sch. 1 para. 20 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)

## Determinations in relation to P’s suitability to provide care

### 21. In relation to registration of a children’s home—

- (a) a refusal of P’s application for registration under section 13 of the Care Standards Act 2000,
- (b) cancellation of P’s registration under section 14, 20(1) or 20(A) of the Care Standards Act 2000,
- (c) cancellation of the registration of any person under section 14, 20(1) or 20(A) of the Care Standards Act 2000 in relation to a children’s home which P has been concerned in the management of, or has any financial interest in, or
- (d) refusal of P’s application for registration or cancellation of P’s registration under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003<sup>(18)</sup>.

### Commencement Information

- I21** Sch. 1 para. 21 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)

### 22. In relation to the registration of a care home service which is provided wholly or mainly to persons under the age of 18, or a secure accommodation service (each has the meaning given in Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016<sup>(19)</sup> (“the 2016 Act”))—

- (a) a refusal of P’s application for registration under section 7 of the 2016 Act,
- (b) a refusal under section 12 of the 2016 Act of P’s application to vary P’s registration (made in accordance with section 11(1)(a)(i) or (ii) of that Act),
- (c) a cancellation of P’s registration under section 15(1)(b) to (f) or 23(1) of the 2016 Act,
- (d) a cancellation of the registration of any person under section 15(1)(b) to (f) or 23(1) of the 2016 Act in relation to a care home service provided wholly or mainly to persons under the age of 18, or a secure accommodation service, in which P has been concerned in the management, or in which P had any financial interest, or
- (e) a refusal of P’s application for registration or cancellation of P’s registration under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

### Commencement Information

- I22** Sch. 1 para. 22 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)

### 23. Refusal at any time of P’s application for registration in relation to a voluntary home or a children’s home, or cancellation of the registration of a voluntary home or children’s home which was

<sup>(18)</sup> S.I. 2003/431 (N.I. 9).

<sup>(19)</sup> 2016 anaw 2.

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carried on by P or which P was otherwise concerned with the management of, or had any financial interest in, under, as the case may be—

- (a) paragraph 1 of Schedule 5 to the 1989 Act(20),
- (b) paragraph 1 or 4 of Schedule 6 to the 1989 Act(21),
- (c) section 127 of the Children and Young Persons Act (Northern Ireland) 1968(22),
- (d) article 80, 82, 96 or 98 of the Children (Northern Ireland) Order 1995(23),
- (e) Part 1 of the Regulation of Care (Scotland) Act 2001(24) (care home services),
- (f) paragraph 2 or 4 of Schedule 6 to the Children and Young Persons Act 2001 (an Act of Tynwald)(25), or
- (g) Part 5 of the Public Services Reform (Scotland) Act 2010(26).

#### Commencement Information

**I23** Sch. 1 para. 23 in force at 6.12.2022 in accordance with reg. 1(2)

**24.** A prohibition imposed at any time under—

- (a) section 69 of the 1989 Act, section 10 of the Foster Children Act 1980(27) or section 4 of the Children Act 1958 (power to prohibit private fostering)(28),
- (b) article 110 of the Children (Northern Ireland) Order 1995 (power to prohibit private fostering),
- (c) section 10 of the Foster Children (Scotland) Act 1984 (power to prohibit the keeping of foster children)(29), or
- (d) section 59 of the Children and Young Persons Act 2001 (an Act of Tynwald) (power to prohibit or impose restrictions under private fostering).

#### Commencement Information

**I24** Sch. 1 para. 24 in force at 6.12.2022 in accordance with reg. 1(2)

**25.** A notice in writing given by a Health and Social Services Board under section 1(3) of the Children and Young Persons Act (Northern Ireland) 1968(30) (withholding consent to the care and maintenance of the child being undertaken by a person).

#### Commencement Information

**I25** Sch. 1 para. 25 in force at 6.12.2022 in accordance with reg. 1(2)

- (20) Repealed in relation to England and Wales by section 117(2) of, and Schedule 6 to, the Care Standards Act 2000.
- (21) Repealed in relation to England and Wales by section 117(2) of, and Schedule 6 to, the Care Standards Act 2000.
- (22) Section 127 was repealed by article 185(2) of, and Schedule 10 to, S.I. 1995/755 (N.I. 2).
- (23) Articles 80, 82, 96 and 98 were repealed by article 50(2) of, and paragraph 1 of Schedule 5 to, S.I. 2003/431 (N.I. 9).
- (24) 2001 asp 8. Part 1 was repealed by section 106 of, and Schedule 14 to, the Public Services Reform (Scotland) Act 2010 (asp 8), with savings specified in article 2 of S.S.I. 2011/169.
- (25) Schedule 6 was repealed by section 199 of the Regulation of Care Act 2013 (an Act of Tynwald) (c. 10).
- (26) 2010 asp 8.
- (27) 1980 c. 6. Section 10 was repealed by section 108 of, and Schedule 15 to, the 1989 Act.
- (28) 1958 c. 65. The Children Act 1958 was repealed with savings by section 23 of, and Schedule 3 to, the Foster Children Act 1980 and section 22 of, and Schedule 3 to, the Foster Children (Scotland) Act 1984 (c. 56). The Foster Children (Scotland) Act 1984 has effect subject to transitional provisions set out in that Act.
- (29) 1984 c. 56.
- (30) Section 1 was repealed by article 185(2) of, and Schedule 10 to, S.I. 1995/755 (N.I. 2).

**26.** Refusal at any time of registration in respect of the provision of nurseries, day care, child minding or other provision of childcare, disqualification from such registration or cancellation of any such registration under—

- (a) section 1 or 5 of the Nurseries and Child-Minders Regulation Act 1948**(31)**,
- (b) Part 10 or 10A of the 1989 Act**(32)**,
- (c) Chapter 2, 3 or 4 of Part 3 of the Childcare Act 2006**(33)**,
- (d) Part 11 of the Children (Northern Ireland) Order 1995,
- (e) section 11(5) or 15 of the Children and Young Persons Act (Northern Ireland) 1968**(34)**,
- (f) Part 1 of the Regulation of Care (Scotland) Act 2001**(35)**,
- (g) section 1 of the Nurseries and Child Minders Regulation Act 1974**(36)** (an Act of Tynwald),
- (h) section 65 or 66**(37)** of, or Schedule 7**(38)** to, the Children and Young Persons Act 2001 (an Act of Tynwald),
- (i) Part III of the Child Protection (Guernsey) Law 1972, or
- (j) Part 2 of the Measure.

**Commencement Information**

**I26** Sch. 1 para. 26 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)

**27.** Disqualification from working with children at any time under the Protection of Children (Scotland) Act 2003**(39)**.

**Commencement Information**

**I27** Sch. 1 para. 27 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)

**28.** Refusal at any time of P's application for registration or cancellation of P's registration under section 62 of the Social Work (Scotland) Act 1968**(40)** (registration of residential and other establishments).

**Commencement Information**

**I28** Sch. 1 para. 28 in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)

- (31)** 1948 c. 53. This Act was repealed with savings by section 108 of, and paragraphs 33 and 34 of Schedule 14 and paragraph 1 of Schedule 15 to, the 1989 Act.
- (32)** Part 10 was repealed in relation to England and Wales by section 79 of the Care Standards Act 2000 and in relation to Scotland by section 80 of, and Schedule 4 to, the Regulation of Care (Scotland) Act 2001 ([asp 8](#)). Part 10A was repealed in relation to Wales by section 73 of, and Schedule 2 to, the Measure.
- (33)** 2006 c. 21.
- (34)** Sections 11(5) and 15 were repealed by article 185(2) of, and Schedule 10 to, [S.I. 1995/755 \(N.I. 2\)](#).
- (35)** Part 1 was repealed by section 106 of, and Schedule 14 to, the Public Services Reform (Scotland) Act 2010, with savings specified in article 2 of [S.S.I. 2011/169](#).
- (36)** 1974 c. 12 (an Act of Tynwald). This Act was repealed by section 105 of, and Schedule 13 to, the Children and Young Persons Act 2001 (an Act of Tynwald).
- (37)** 2001 c. 20. Sections 65 and 66 were repealed by section 196 of the Regulation of Care Act 2013 (an Act of Tynwald) (c. 10).
- (38)** Schedule 7 was repealed by section 199 of the Regulation of Care Act 2013 (an Act of Tynwald).
- (39)** 2003 [asp 5](#). This Act was repealed by section 88 of, and Schedule 4 to, the Protection of Vulnerable Groups (Scotland) Act 2007 ([asp 14](#)) subject to transitional provisions set out in articles 3 to 12 of [S.S.I. 2010/180](#).
- (40)** 1968 c. 49. Section 62 was repealed by section 80(1) of, and Schedule 4 to, the Regulation of Care (Scotland) Act 2001, subject to savings specified in articles 11 and 13 of [S.S.I. 2002/162](#).

**Changes to legislation:** There are currently no known outstanding effects for the The Child Minding and Day Care (Disqualification) (No. 2) (Wales) Regulations 2022, SCHEDULE 1. (See end of Document for details)

**29.** Refusal at any time of P’s application for registration as a provider of a child care agency under section 7 of the Regulation of Care (Scotland) Act 2001 or cancellation of any such registration under section 12 or 18 of that Act<sup>(41)</sup>.

**Commencement Information**

**I29** Sch. 1 para. 29 in force at 6.12.2022 in accordance with **reg. 1(2)**

**30.** Refusal at any time of P’s application for registration as a provider of a child care agency under section 59 of the Public Services Reform (Scotland) Act 2010 or cancellation of any such registration under section 64 or 65 of that Act.

**Commencement Information**

**I30** Sch. 1 para. 30 in force at 6.12.2022 in accordance with **reg. 1(2)**

**31.** Refusal at any time of P’s application for registration or cancellation of P’s registration under section 60 of the Public Services Reform (Scotland) Act 2010.

**Commencement Information**

**I31** Sch. 1 para. 31 in force at 6.12.2022 in accordance with **reg. 1(2)**

**32.** Inclusion of P’s name at any time on a list of persons unsuitable to work with children under article 3 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 or disqualification from working with children under Chapter 2 of Part 2 of that Order<sup>(42)</sup>.

**Commencement Information**

**I32** Sch. 1 para. 32 in force at 6.12.2022 in accordance with **reg. 1(2)**

**Commencement Information**

**I21** Sch. 1 para. 21 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I22** Sch. 1 para. 22 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I23** Sch. 1 para. 23 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I24** Sch. 1 para. 24 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I25** Sch. 1 para. 25 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I26** Sch. 1 para. 26 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I27** Sch. 1 para. 27 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I28** Sch. 1 para. 28 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I29** Sch. 1 para. 29 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I30** Sch. 1 para. 30 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I31** Sch. 1 para. 31 in force at 6.12.2022 in accordance with **reg. 1(2)**  
**I32** Sch. 1 para. 32 in force at 6.12.2022 in accordance with **reg. 1(2)**

(41) Sections 7, 12 and 18 were repealed in Scotland by section 106 to, and Schedule 14 to, the Public Services Reform (Scotland) Act 2010, subject to savings specified in article 21 of S.S.I. 2011/121.

(42) S.I. 2003/417 (N.I. 4). Article 3 and Chapter 2 of Part 2 of that Order were revoked by article 60(2) of, and Schedule 8 to, S.I. 2007/1351 (N.I. 11).



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**Changes to legislation:** *There are currently no known outstanding effects for the The Child Minding and Day Care (Disqualification) (No. 2) (Wales) Regulations 2022, SCHEDULE 1. (See end of Document for details)*

**Changes to legislation:**

There are currently no known outstanding effects for the The Child Minding and Day Care (Disqualification) (No. 2) (Wales) Regulations 2022, SCHEDULE 1.