
Changes to legislation: There are currently no known outstanding effects for the Children and Families Act 2014, Cross
Heading: Functions of Commissioner: children in Wales, Scotland and Northern Ireland. (See end of Document for details)

SCHEDULES

SCHEDULE 5

CHILDREN'S COMMISSIONER: MINOR AND CONSEQUENTIAL AMENDMENTS

Functions of Commissioner: children in Wales, Scotland and Northern Ireland

- 3 (1) Section 5 of the Children Act 2004 (functions of Commissioner in Wales) is amended as follows.
- (2) In subsection (1), for “promoting awareness of the views and interests of children in Wales” substitute “promoting and protecting the rights of children in Wales”.
- (3) After subsection (1) insert—
- “(1A) The function under subsection (1) includes promoting awareness of the views and interests of children in Wales.”
- (4) For subsection (2) substitute—
- “(2) Subsections (3) to (5) of section 2 and sections 2A to 2C, 2E and 2F apply in relation to the Children's Commissioner's function under subsection (1) as in relation to the Commissioner's primary function.
- (2A) For the purposes of subsection (2)—
- (a) section 2(3)(i) has effect as if for “in England” there were substituted “in Wales, except in so far as relating to any matter falling within the remit of the Children's Commissioner for Wales under section 72B, 73 or 74 of the Care Standards Act 2000,”
- (b) sections 2(4) and 2B(3) have effect as if for “children who are within section 8A (children living away from home or receiving social care) and other groups of children” there were substituted “groups of children”
- (c) section 2E(1) has effect as if “and the function under section 2D” were omitted, and
- (d) section 2F(1) has effect as if “or the function under section 2D” were omitted.”
- 4 (1) Section 6 of the Children Act 2004 (functions of Commissioner in Scotland) is amended as follows.
- (2) In subsection (1), for “promoting awareness of the views and interests of children in Scotland in relation to reserved matters” substitute “promoting and protecting the rights of children in Scotland where those rights are or may be affected by reserved matters”.
- (3) After subsection (1) insert—
- “(1A) The function under subsection (1) includes promoting awareness of the views and interests of children in Scotland.”

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- (4) For subsection (2) substitute—
- “(2) Subsections (3) to (5) of section 2 and sections 2A to 2C, 2E and 2F apply in relation to the Children's Commissioner's function under subsection (1) as in relation to the Commissioner's primary function.
- (2A) For the purposes of subsection (2)—
- (a) section 2(3)(i) has effect as if for “in England” there were substituted “ in Scotland, in relation to reserved matters, ”,
 - (b) sections 2(4) and 2B(3) have effect as if for “children who are within section 8A (children living away from home or receiving social care) and other groups of children” there were substituted “ groups of children ”,
 - (c) section 2E(1) has effect as if “and the function under section 2D” were omitted, and
 - (d) section 2F(1) has effect as if “or the function under section 2D” were omitted.”
- 5 (1) Section 7 of the Children Act 2004 (functions of Commissioner in Northern Ireland) is amended as follows.
- (2) In subsection (1), for “promoting awareness of the views and interests of children in Northern Ireland in relation to excepted matters” substitute “ promoting and protecting the rights of children in Northern Ireland where those rights are or may be affected by excepted matters ”.
- (3) After subsection (1) insert—
- “(1A) The function under subsection (1) includes promoting awareness of the views and interests of children in Northern Ireland.”
- (4) For subsection (2) substitute—
- “(2) Subsections (3) to (5) of section 2 and sections 2A to 2C, 2E and 2F apply in relation to the Children's Commissioner's function under subsection (1) as in relation to the Commissioner's primary function.
- (2A) For the purposes of subsection (2)—
- (a) section 2(3)(i) has effect as if for “in England” there were substituted “ in Northern Ireland, in relation to excepted matters, ”,
 - (b) sections 2(4) and 2B(3) have effect as if for “children who are within section 8A (children living away from home or receiving social care) and other groups of children” there were substituted “ groups of children ”,
 - (c) section 2E(1) has effect as if “and the function under section 2D” were omitted, and
 - (d) section 2F(1) has effect as if “or the function under section 2D” were omitted.”

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