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STATUTORY INSTRUMENTS

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**2009 No. 323 (C. 15)**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

The Children and Young Persons Act 2008  
(Commencement No. 1) (England) Order 2009

Made - - - - 12th February 2009

The Secretary of State for Children, Schools and Families makes the following Order in exercise of the powers conferred by sections 6(2) and 44(4) of the Children and Young Persons Act 2008<sup>(1)</sup>.

**Citation**

1. This Order may be cited as the Children and Young Persons Act 2008 (Commencement No. 1) (England) Order 2009.

**Appointed day**

2. 16th February 2009 is the appointed day for the coming into force of the following provisions of the Children and Young Persons Act 2008 in relation to England—

- (a) section 1 (power to enter into arrangements for discharge of care functions) but only in relation to the local authorities specified in article 3,
- (b) sections 2 (restrictions on arrangements under section 1), 3 (effect of arrangements under section 1) and 5 (functions under Part 1 to be social services functions), and
- (c) in so far as it is not already in force, section 6 (piloting and expiry of arrangements under Part 1).

**Pilot local authorities**

3. The local authorities specified for the purpose of article 2(a) are—

- (a) Liverpool City Council,
- (b) Kent County Council,
- (c) Sandwell Metropolitan Borough Council,
- (d) Blackburn with Darwen Borough Council,
- (e) Hillingdon London Borough Council, and

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(f) Staffordshire County Council.

12th February 2009

*Delyth Morgan*  
Parliamentary Under Secretary of State  
Department for Children, Schools and Families

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the first Commencement Order made by the Secretary of State for Children, Schools and Families under the Children and Young Persons Act 2008 (“the Act”) which only brings provisions of the Act into force in relation to England.

Article 2 of the Order brings into force on 16th February 2009 the following provisions of the Act: sections 1, 2, 3, 5 and, in so far as it is not already in force, 6. Sections 1, 2, 3, 5 and 6 of the Act make provision for the delivery of social work services for children and young persons. Section 1 of the Act provides that a local authority may to enter into arrangements with a provider of social work services for the discharge by that provider of some or all of the relevant care functions of that authority. Section 2 provides for restrictions on arrangements under section 1. Section 3 provides for the effect of arrangements under section 1. Section 5 amends the Local Authority Social Services Act 1970 to provide for functions under Part 1 of the Act to be social services functions. Section 6 provides for the piloting and expiry of arrangements under section 1; article 2(a) of the Order limits the piloting of such arrangements to the local authorities specified in article 3.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 6 partially, in relation to England	12th February 2009	S.I. 2009/268 (C.11)
Section 8 partially, in relation to England	12th February 2009	S.I. 2009/268 (C.11)
Section 20 partially, in relation to England	12th February 2009	S.I. 2009/268 (C.11)
Section 21 partially, in relation to England	12th February 2009	S.I. 2009/268 (C.11)
(2)*Section 30 in relation to England	6th April 2009	S.I. 2009/268 (C.11)
*Section 31	1st April 2009	S.I. 2009/268 (C.11)
*Section 32	1st April 2009	S.I. 2009/268 (C.11)
Section 33 in relation to England	12th February 2009	S.I. 2009/268 (C.11)
Section 34 partially, in relation to England	12th February 2009	S.I. 2009/268 (C.11)

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(2) On the date this Commencement Order is made the commencement date of provisions marked \* has not been reached.

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
*Section 34 in so far as not already in force, in relation to England	1st April 2009	S.I. 2009/268 (C.11)
Section 35 in relation to England	12th February 2009	S.I. 2009/268 (C.11)
*Section 42 partially, in relation to England	1st April 2009	S.I. 2009/268 (C.11)
*Section 42 partially, in relation to England	6th April 2009	S.I. 2009/268 (C.11)
Schedule 2 in relation to England	12th February 2009	S.I. 2009/268 (C.11)
*Schedule 4 partially, in relation to England	1st April 2009	S.I. 2009/268 (C.11)
*Schedule 4 partially, in relation to England	6th April 2009	S.I. 2009/268 (C.11)