

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Paragraph 6. (See end of Document for details)

SCHEDULES

SCHEDULE 3

APPROVED SCHOOLS AND OTHER INSTITUTIONS

Modifications etc. (not altering text)

- C1** Sch. 3 amended by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), [Sch. 2 para. 17](#)

Use of premises as homes for children in care

- 6 (1) Where a section 46 order is made in relation to an approved institution (other than an institution provided by a local authority) and, in a regional plan approved by the Secretary of State, the whole or any part of the premises of the institution is designated as a community home to be provided by a local authority, then if the Secretary of State is satisfied that the premises so designated were to a substantial extent provided with the assistance of grants under section 104 of the Act of 1933 or [^{F1}section 20 of the Probation Service Act 1993][^{F2}or section 3, 5 or 9 of the Criminal Justice and Court Services Act 2000][^{F3}or under sections 3, 6 or 13 of the Offender Management Act 2007], he may, by an authorisation in writing under this paragraph, authorise the transfer of the premises so designated to that local authority.
- (2) The transfer of any premises in pursuance of an authorisation under this paragraph—
- shall be on such terms, as to payment and other matters, as may be agreed between the local authority concerned and the trustees or other persons in whom the premises are vested and, if the authorisation so provides, as may be approved by the Secretary of State;
 - shall not take effect before the specified date; and
 - shall operate to vest the premises transferred in the local authority free from any charitable trust and from any other obligation requiring the use of the premises for the purposes of an approved institution.
- (3) Before giving an authorisation under this paragraph authorising the transfer of any premises belonging to a charity or otherwise held on charitable trusts, the Secretary of State shall consult the [^{F4}Charity Commission] .

Textual Amendments

- F1** Words in Sch. 3 para. 6(1) substituted (5.2.1994) by virtue of [1993 c. 47, ss. 32, 33](#), [Sch. 3 para. 3\(4\)\(a\)](#).
- F2** Words in Sch. 3 para. 6(1) substituted (1.4.2001) by [2000 c. 43, s. 74](#), [Sch. 7 Pt. II para. 43\(2\)](#); [S.I. 2001/919, art. 2\(f\)\(ii\)](#)
- F3** Words in Sch. 3 para. 6(1) inserted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), art. 1, [Sch. 1 para. 3\(3\)\(a\)](#)

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F4 Words in Sch. 3 para. 6(3) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), [Sch. 8 para. 53](#); S.I. 2007/309, art. 2, Sch.

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