



# Children and Young Persons Act 1969

## 1969 CHAPTER 54

### PART I

#### CARE AND OTHER TREATMENT OF JUVENILES THROUGH COURT PROCEEDINGS

##### *Transitional modifications of Part I for persons of specified ages*

#### **34 Transitional modifications of Part I for persons of specified ages.**

- (1) The Secretary of State may by order provide—
- <sup>F1</sup>(a) .....
  - (b) .....
  - (c) that any reference to a young person in section 5(8), <sup>F2</sup> . . . 9(1)<sup>F3</sup> . . . or 29(1) of this Act shall be construed as including a child who has attained such age as may be so specified;
  - (d) ..... <sup>F4</sup>
  - <sup>F5</sup>(e) ..... <sup>F6</sup>
  - (f) .....
- (2) In the case of a person who has not attained [<sup>F7</sup>the age of eighteen] but has attained such lower age as the Secretary of State may by order specify, no proceedings <sup>F8</sup> . . . for an offence shall be begun in any court unless the person proposing to begin the proceedings has, in addition to any notice falling to be given by him to a local authority in pursuance of section <sup>F8</sup> . . . 5(8) of this Act, given notice of the proceedings to [<sup>F9</sup>an officer of a local probation board]<sup>F10</sup>, or an officer of a provider of probation services, acting in the area] for which the court acts; <sup>F8</sup> . . .
- (3) In the case of a person who has attained such age as the Secretary of State may by order specify, an authority shall, without prejudice to subsection (2) of section 9 of this Act, not be required by virtue of subsection (1) of that section to make investigations or provide information which it does not already possess with respect to his home surroundings if, by direction of the justices or [<sup>F11</sup>local probation board] acting for [<sup>F12</sup>, or a provider of probation services operating in,] any relevant area, arrangements

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*Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 34. (See end of Document for details)*

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are in force for information with respect to his home surroundings to be furnished to the court in question by [<sup>F9</sup>an officer of a local probation board][<sup>F13</sup>or an officer of a provider of probation services].

- (4) Except in relation to section 13(2) of this Act, references to a child in subsection (1) of this section do not include references to a person under the age of ten.
- (5) ..... <sup>F14</sup>
- (6) Without prejudice to the generality of section 69(4) of this Act, an order under this section may specify different ages for the purposes of different provisions of this Act specified in the order.
- (7) A draft of any order proposed to be made under this section shall be laid before Parliament and, in the case of an order of which the effect is that the reference to a child in section 4 of this Act includes a child who has attained an age of more than twelve, shall not be made unless the draft has been approved by a resolution of each House of Parliament.

#### Textual Amendments

- F1** S. 34(1)(a) repealed (30.9.1998) by 1998 c. 37, s. 120(2), **Sch. 10**; S.I. 1998/2327, **art. 2(1)(aa)**.
- F2** Words in s. 34(c) repealed (30.9.1998) by 1998 c. 37, ss. 106, 120(2), **Sch. 7 para. 8, Sch. 10**; S.I. 1998/2327, **art. 2(1)(w)(aa)(3)(k)**.
- F3** Words in s. 34(1)(c) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 11(a)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F4** S. 34(1)(d) repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), **Sch. 16**
- F5** S. 34(1)(e) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 11(b)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F6** S. 34(1)(f) repealed by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 170(2), **Sch. 16**
- F7** Words in s. 34(2) substituted (3.2.1995) by 1994 c. 33, s. 168(1), **Sch. 9 para. 9**; S.I. 1995/127, art. 2(1), **Sch. 1** Appendix A
- F8** Words in s. 34(2) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch. 15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**
- F9** Words in s. 34(2)(3) substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. I para. 4(2)**; S.I. 2001/919, **art. 2(f)(i)**
- F10** Words in s. 34(2) substituted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 3(2)(a)**
- F11** Words in s. 34(3) substituted (1.4.2001) by virtue of 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 40**; S.I. 2001/919, **art. 2(f)(ii)**
- F12** Words in s. 34(3) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 3(2)(b)(i)**
- F13** Words in s. 34(3) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 3(2)(b)(ii)**
- F14** S. 34(5) repealed by Criminal Law Act 1977 (c. 45, SIF 39:1), **Sch. 13**

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 34.