



# 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—
  - (a) that any reference to a child in section 4, 13(2) or 28(4) or (5) of this Act shall be construed as excluding a child who has attained such age as may be specified in the order;
  - (b) that any reference to a young person in section 5 of this Act (except subsection (8)) shall be construed as including a child, or excluding a young person, who has attained such age as may be so specified;
  - (c) that any reference to a young person in section 5(8), 7(7), 7(8), 9(1), 23(1) or 29(1) of this Act shall be construed as including a child who has attained such age as may be so specified ;
  - (d) that section 7(1) of this Act shall have effect as if for references to seventeen years there were substituted references to sixteen years ;
  - (e) that section 23(2) or (3) of this Act shall have effect as if the references to a young person excluded a young person who has not attained such age as may be so specified;
  - (f) that section 22(5) of this Act shall have effect as if for the reference to the age of fourteen, or section 31(1) of this Act shall have effect as if for the reference to the age of fifteen, there were substituted a reference to such greater age as may be so specified.
- (2) In the case of a person who has not attained the age of seventeen but has attained such lower age as the Secretary of State may by order specify, no proceedings under section 1 of this Act or 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

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*Status: This is the original version (as it was originally enacted).*

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him to a local authority in pursuance of section 2(3) or 5(8) of this Act, given notice of the proceedings to a probation officer for the area for which the court acts; and accordingly in the case of such a person the reference in section 1(1) of this Act to the said section 2(3) shall be construed as including a reference to this subsection.

- (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 probation and after-care committee acting for any relevant area, arrangements are in force for information with respect to his home surroundings to be furnished to the court in question by a probation officer.
- (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) In relation to a child tried summarily in pursuance of section 6 of this Act, for the words " fifty pounds " in subsection (3) of that section there shall be substituted the words " ten pounds ".
- (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.