

SCHEDULES

SCHEDULE 2

Section 14.

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

The Children and Young Persons Act 1933 (c. 12)

- 1 In section 96(7) of the Children and Young Persons Act 1933 (which provides that subject to the provisions of section 39 of the Children Act 1948 a local authority may refer certain matters to committees) for the words from " section thirty-nine " to " that committee) " there shall be substituted the words " sections 2 and 3 of the Local Authority Social Services Act 1970 (which require certain matters to be referred to the social services committee and restrict the reference of other matters to that committee). "

The National Health Service Act 1946 (c. 81)

- 2 At the end of section 22(4) of the National Health Service Act 1946 (which enables regulations to provide in certain cases for the making, variation, etc., of schemes of divisional administration relating to the functions of local health authorities under subsection (1) of that section with respect to the care of certain children and certain other functions of such authorities) there shall be added the words " other than functions under the said subsection (1) which are for the time being social services functions within the meaning of the Local Authority Social Services Act 1970 ".
3 In paragraph 1 of Part II of Schedule 4 to the said Act of 1946 (which provides that certain matters shall stand referred to a local authority's health committee) after the words " a local health authority " there shall be inserted the words " other than matters which by virtue of section 2 or 3(2)(a) of the Local Authority Social Services Act 1970 stand referred to the authority's social services committee ".
4 In paragraph 3 of the said Part II (which empowers a local health authority to authorise their health committee to exercise on their behalf certain functions) after the word " except " there shall be inserted the words " any such functions which are for the time being social services functions within the meaning of the Local Authority Social Services Act 1970 and except ".

The Children Act 1948 (c. 43)

- 5 In section 45(1) of the Children Act 1948 (which authorises the making of grants to persons undergoing training with a view to, or in the course of, employment for the purposes of any of the enactments specified in section 39(1) of that Act or employment by a voluntary organisation for similar purposes) for the words " subsection (1) of section thirty-nine of this Act " there shall be substituted the words " subsection (1A) of this section " and after subsection (1) of the said section 45 there shall be inserted—

“(1A) The enactments referred to in subsection (1) of this section are—

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

- (a) Parts III and IV of the Children and Young Persons Act 1933 ;
- (b) this Act;
- (c) the Children Act 1958 ;
- (d) the Adoption Act 1958 ;
- (e) section 2(1)(f) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960, section 37 of the Matrimonial Causes Act 1965 and section 7(4) of the Family Law Reform Act 1969 ;
- (f) the Children and Young Persons Act 1963, except Part II and section 56 ; and
- (g) the Children and Young Persons Act 1969.”

- 6 In section 49(1) of the said Act of 1948 (which requires county borough councils to keep separate accounts of sums received and expended by them in the exercise of their functions under any of the enactments mentioned in section 39(1) of that Act) for the words " subsection (1) of section thirty-nine of this Act" there shall be substituted the words " subsection (1A) of this section " and after subsection (1) of the said section 49 there shall be inserted—

“(1A) The enactments referred to in subsection (1) of this section are—

- (a) the enactments specified in section 45(1 A) of this Act;
- (b) section 9 of the Mental Health Act 1959 and section 10 of that Act so far as it relates to children and young persons in respect of whom the rights and powers of a parent are vested in a local authority as mentioned in subsection (1)(a) of that section ; and
- (c) section 10 of the Mental Health (Scotland) Act 1960 so far as it relates to children and young persons in respect of whom the rights and powers of a parent are vested in a local authority as mentioned in subsection (1)(a) of that section.”

The Local Government Act 1958 (c. 55)

- 7 In section 46(1) of the Local Government Act 1958 (functions of a county council under certain enactments may be exercised by council of county district for which delegation scheme under that section is in force) for paragraph (a) there shall be substituted—

- “(a) Part III of the National Health Service Act 1946, section 1 of the National Health Service (Family Planning) Act 1967 and sections 10, 11 and 12 of the Health Services and Public Health Act 1968 (midwifery services, health visiting, district nursing and prevention of illness and care and after-care of the sick), except functions under section 27 of the said Act of 1946 (ambulance services) and section 29 thereof (domestic help for certain households) and any functions under section 22 of that Act (care of certain mothers and young children) or section 12 of the said Act of 1968 which immediately after the coming into operation of a scheme made by the council of that district in pursuance of section 10(2) of the Local Authority Social Services Act 1970 were not exercisable by the council of that district by virtue of the delegation scheme ;”
- “(d) sections 12 to 18 of the Mental Health Act 1959, section 23 of that Act so far as it relates to offences under sections 14 to 18 thereof or any enactment applied by those sections, sections 28(2), 37, 47(3) and 56(2)(d) of that Act and, in its application to offences relating

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to a mental nursing home or a patient admissible to, or receiving treatment in or at, such a home, section 131 of that Act”.

- 8 In section 60(2) of the said Act of 1958 (provision to be made by regulations for the payment of compensation in certain cases) after the words " section 46 of the Children and Young Persons Act 1969 " there shall be inserted the words " or of section 2 or 6 of the Local Authority Social Services Act 1970 ".

The London Government Act 1963 (c. 33)

- 9 In section 47(3) of the London Government Act 1963 (which specifies enactments functions under which are to be exercisable by London borough councils and the Common Council of the City of London) for paragraph (f) there shall be substituted—

- “(f) section 9 of the Mental Health Act 1959 and section 10 of that Act so far as it relates to children and young persons in respect of whom the rights and powers of a parent are vested in a local authority as mentioned in subsection (1)(a) of that section ;
- (g) section 10 of the Mental Health (Scotland) Act 1960 so far as it relates to children and young persons in respect of whom the rights and powers of a parent are vested in a local authority as mentioned in subsection (1)(a) of that section;
- (h) section 2(1)(f) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 ;
- (i) the Children and Young Persons Act 1963, except Part II and section 56”.

The Children and Young Persons Act 1963 (c. 37)

- 10 In section 56(2) of the Children and Young Persons Act 1963 (prosecution of certain offences) for the words " subsection (2) of section 39 of the Children Act 1948 " there shall be substituted the words " subsection (1) of section 3 of the Local Authority Social Services Act 1970 " and for the words " those sections " there shall be substituted the words " the said section 85 and section 2 of the said Act of 1970 ".

The Children and Young Persons Act 1969 (c. 54)

- 11 (1) In subsection (1)(a) of section 63 of the Children and Young Persons Act 1969 (which requires every local authority to make returns to the Secretary of State with respect to the performance by the authority of the functions specified in section 39(1) of the Children Act 1948) for the words from " the functions " to " committees)" there shall be substituted the words " their functions under the enactments mentioned in subsection (6) of this section ".
- (2) In subsection (5) of the said section 63 (which requires the Secretary of State to lay before Parliament reports with respect to certain matters, including the exercise by local authorities of the functions specified in the said section 39(1)) for the words from " the functions " to " 1948 " there shall be substituted the words " their functions under the enactments mentioned in subsection (6) of this section ".
- (3) At the end of the said section 63 there shall be added the following subsection:—
- “(6) The enactments referred to in subsections (1) and (5) of this section are—

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- (a) Parts III and IV of the Children and Young Persons Act 1933 ;
- (b) the Children Act 1948 ;
- (c) the Children Act 1958 ;
- (d) the Adoption Act 1958 ;
- (e) section 9 of the Mental Health Act 1959 and section 10 of that Act so far as it relates to children and young persons in respect of whom the rights and powers of a parent are vested in a local authority as mentioned in subsection (1)(a) of that section ;
- (f) section 10 of the Mental Health (Scotland) Act 1960 so far as it relates to children and young persons in respect of whom the rights and powers of a parent are vested in a local authority as mentioned in subsection (1)(a) of that section ;
- (g) section 2(1)(f) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960, section 37 of the Matrimonial Causes Act 1965 and section 7(4) of the Family Law Reform Act 1969 ;
- (h) the Children and Young Persons Act 1963, except Part II and section 56 ;
- (i) this Act.”

The Chronically Sick and Disabled Persons Act 1970 (c. 44)

- 12 (1) In section 2(1) of the Chronically Sick and Disabled Persons Act 1970 (which imposes a duty on local authorities to make arrangements for certain matters in exercise of their functions under section 29 of the National Assistance Act 1948) the words " under the general guidance of the Secretary of State and " shall be omitted, and after the words " the purpose) " there shall be inserted the words " and to the provisions of section 7(1) of the Local Authority Social Services Act 1970 (which requires local authorities in the exercise of certain functions, including functions under the said section 29, to act under the general guidance of the Secretary of State) ".
- (2) In section 2(2) of the said Act of 1970 (which makes provision in connection with the carrying into effect of the said arrangements) after the words " section 35(2)" there shall be inserted the words " and to the said section 7(1) ".