

SCHEDULES

SCHEDULE 1

Section 2.

ENACTMENTS CONFERRING FUNCTIONS ASSIGNED TO SOCIAL SERVICES COMMITTEE

Enactment	Nature of functions
Children and Young Persons Act 1933 (c. 12) Part III	Protection of the young in relation to criminal and summary proceedings; children appearing before court as in need of care, protection or control; committal of children to approved school or care of fit person, etc.
Part IV	Remand homes, approved schools and children in care of fit persons.
National Health Service Act 1946 (c. 81) Section 22(1) and (2)	Care of expectant and nursing mothers and young children.
Section 29	Provision of domestic help for certain households.
The following sections, so far as they apply in relation to any function under the said section 22 or 29 or section 12 or 13 of the Health Services and Public Health Act 1968 (c. 46) , being a social services function:—	
Section 20	Submission of proposals for provision of certain services.
Section 58(2)	Acquisition of land.
Section 63	Use of certain premises and equipment.
Section 65	Provision of accommodation for staff.
National Assistance Act 1948 (c. 29) Sections 21 to 27	Provision of residential accommodation for the aged, infirm, needy, etc.
Sections 29 and 30	Welfare of persons who are blind, deaf, dumb or otherwise handicapped or are suffering from mental disorder; use of voluntary organisations for administration of welfare schemes.

Status: This is the original version (as it was originally enacted).

Enactment	Nature of functions
Sections 37 to 41	Registration of disabled or old persons' homes, residential homes for mentally disordered persons and charities for disabled.
Sections 43 to 45	Recovery of costs of providing certain services.
Section 48	Temporary protection of property belonging to persons in hospital or accommodation provided under Part III of the Act, etc.
Section 49	Defraying expenses of local authority officer applying for appointment as receiver for certain patients.
Section 50(3) and (4)	Burial or cremation of person dying in accommodation provided under the said Part III; recovery of funeral expenses from his estate.
Section 56(3) except so far as it relates to an offence under section 47(11).	Prosecution of offences.
Section 58	Acquisition of land.
Children Act 1948 (c. 43)	Provision for orphans, deserted children, children suffering from mental disorder, etc.; assumption by local authority of parental rights; local authority as fit person under Act of 1933; children in care; financing of children's maintenance and education, etc.; registration of voluntary children's homes and use of voluntary organisations.
Nurseries and Child-Minders Regulation Act 1948 (c. 53)	Regulation of nurseries and child-minders.
Disabled Persons (Employment) Act 1958 (c. 33)	
Section 3	Provision of facilities for enabling disabled persons to be employed or work under special conditions.
Children Act 1958 (c. 65)	Protection of children living away from their parents; prosecution of offences.
Adoption Act 1958 (7 & 8 Eliz. 2. c. 5)	Making, etc. arrangements for the adoption of children; regulation of adoption societies; care, possession and supervision of children awaiting adoption; prosecution of offences.
Mental Health Act 1959 (c. 72) Parts II to VI and IX except— (a) sections 12 and 13; (b) sections 14 to 18 and section 23 so far as it relates to offences under those	Welfare of the mentally disordered while in hospital or mental nursing home; guardianship of persons suffering from mental disorder including such persons removed to England and Wales from Scotland or Northern Ireland; exercise of

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

Enactment	Nature of functions
sections or any enactment thereby applied; (c) sections 28(2), 37, 47(3) and 56(2)(d); (d) section 131 in its application to offences relating to a mental nursing home or a patient admissible to, or receiving treatment in or at, such a home.	functions of nearest relative of person so suffering.
Matrimonial Proceedings (Magistrates' Courts) Act 1960 (c. 48) Section 2(1)(f)	Supervision of child subject to court order in matrimonial proceedings.
Mental Health (Scotland) Act 1960 (c. 61) Section 10	Welfare of certain persons while in hospital in Scotland.
Health Visiting and Social Work (Training) Act 1962 (c. 33) Section 5(1)(b), and as extended by section 45(9) of the Health Services and Public Health Act 1968 (c. 46) .	Research into matters relating to local authority welfare services.
Children and Young Persons Act 1963 (c. 37) Part I	Promotion of welfare of children; powers relating to young persons in need of care, protection or control; further provisions for protection of the young in relation to criminal proceedings; recovery of contributions in respect of child.
Part III, except section 56	Research into matters connected with functions under enactments relating to children and young persons; provisions relating to children in respect of whom parental rights assumed by local authority; assistance of persons formerly in care.
Matrimonial Causes Act 1965 (c. 72) Section 37	Supervision of child subject to court order in matrimonial proceedings.
Ministry of Social Security Act 1966 (c. 20) Schedule 4	Provision and maintenance of reception centres for persons without a settled way of living.
Health Services and Public Health Act 1968 (c. 46) Section 12	Prevention of illness and care and after-care of the sick.

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

Enactment	Nature of functions
Section 13	Provision of home help and laundry facilities for certain households.
Section 45 Social Work (Scotland) Act 1968 (c. 49)	Promotion of welfare of old people.
Sections 75(2) and 76(4) Family Law Reform Act 1969 (c. 46)	Reference for consideration, etc. of case of child in care whose parent moves to Scotland and transfer of child.
Section 7(4) Children and Young Persons Act 1969 (c. 54)	Supervision of ward of court.
The whole Act except sections 1, 2 and 9 in so far as they assign functions to a local authority in their capacity of a local education authority. Chronically Sick and Disabled Persons Act 1970 (c. 44)	Care and other treatment of children and young persons through court proceedings; accommodation for children in care; welfare, etc. of foster children.
Section 1	Obtaining information as to need for, and publishing information as to existence of, certain welfare services.
Section 2	Provision of certain welfare services.
Section 18	Provision of certain information required by Secretary of State.
Section 6 of this Act	Appointment of director of social services, etc.

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

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

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—

- (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

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

- (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 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 ;

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

- (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—
- (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

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

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) ".

SCHEDULE 3

Section 14.

REPEALS

Chapter	Short title	Extent of repeal
11 & 12 Geo.6. c. 29.	The National Assistance Act 1948.	Section 33(2). In section 35(2), the words " under the general guidance of the Minister and ". Schedule 3.
11 & 12 Geo.6. c. 43.	The Children Act 1948.	Sections 39 to 42. In Schedule 3, the entry relating to section 96(7) of the Children and Young Persons Act 1933.
6 & 7 Eliz. 2. c. 33.	The Disabled Persons (Employment) Act 1958.	In section 3(3), the words from "and subject" onwards. In the Schedule, paragraph 2 and in paragraph 3(3) the words from " and in particular " to " three ".
6 & 7 Eliz. 2. c. 55.	The Local Government Act 1958.	In section 46, in subsection (1), paragraphs (b), (c) and (e) and the words from " and, subject " onwards, subsections (2) and (3) and in subsection (4), the words from " or Part I" to " 1948 ". Section 47, except subsections (1), (2), (6) and (7) as applied by section 48(1) of that Act, and subsections (5) and (8)

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

Chapter	Short title	Extent of repeal
		as applied by section 52(2) thereof, and in subsection (2) the words from " (except " to " section) " .
		In section 48, in subsection (1), the words from " subject " onwards.
		In section 50, in subsection (1), the words from " or the amendment" to " 1948 " and the words from " or for the amendment " onwards and, in subsection (2), the words " or varying or revoking schemes ", the words " or a scheme ", the words " or fails " and the words " or scheme " .
		Section 51.
7 & 8 Eliz. 2. c. 5.	The Adoption Act 1958.	In Schedule 4, the entry relating to section 39 of the Children Act 1948.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In Schedule 7, Part II, the entry relating to the Children Act 1948.
8 & 9 Eliz. 2. c. 48.	The Matrimonial Proceedings (Magistrates' Courts) Act 1960.	Section 3(7).
8 & 9 Eliz. 2. c. 61.	The Mental Health (Scotland) Act 1960.	In Schedule 4, the entry relating to section 39 of the Children Act 1948.
1963 c. 33.	The London Government Act 1963.	In section 3(2)(d), the words " 47(3) and " .
		In section 47(2), the words from " and, without " onwards.
1963 c. 37.	The Children and Young Persons Act 1963.	In Schedule 3, paragraph 41.
1965 c. 72.	The Matrimonial Causes Act 1965.	Section 37(3).
1968 c. 46.	The Health Services and Public Health Act 1968.	In section 45, in subsection (5)(b), the words from " and Parts I " to " 1(1) " and subsections (6), (7) and (8).

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

Chapter	Short title	Extent of repeal
		<p>Section 68.</p> <p>In Schedule 3, Part I, in the entry relating to the Disabled Persons (Employment) Act 1958, the second paragraph and in the entry relating to the Local Government Act 1958, paragraph (a), in paragraph (b) the words from " (e) " to " 1968 ", where next occurring, and paragraph (c) .</p>
1969 c. 46.	The Family Law Reform Act 1969.	In section 7(4), the words " and (3) ".
1969 c. 54.	The Children and Young Persons Act 1969.	In Schedule 5, paragraph 18.