



# Child Care Act 1980

## <sup>F1</sup>(repealed 14.10.1991)

### CHAPTER 5

#### CHILD CARE ACT 1980 (REPEALED 14.10.1991)

##### PART I

##### POWERS AND DUTIES OF LOCAL AUTHORITIES IN RELATION TO THE WELFARE AND CARE OF CHILDREN

##### *General duty of local authorities to promote welfare of children*

- 1 Duty of local authorities to promote welfare of children.

##### *Duty of local authorities to assume care of orphans and deserted children etc.*

- 2 Duty of local authority to provide for orphans, deserted children etc.
- 3 Assumption by local authority of parental rights and duties.
- 4 Effect of resolution under s. 3.
- 5 Duration and rescission of resolutions under s. 3.
- 6 Appeal to the High Court.
- 7 Guardians ad litem and reports in care proceedings.
- 8 Application of Part I in relation to children subject to orders of court.
- 9 Duty of parents to maintain contact with local authorities having their children in care.

##### *Provisions as to children subject to care order etc.*

- 10 Powers and duties of local authorities with respect to children committed to their care.
- 11 Appointment of visitor for child subject to care order.
- 12 Supplementary provisions relating to children subject to care order etc.

## **PART II**

### **ABSENCE FROM CARE**

#### *Provisions relating to children in care of local authorities under section 2*

- 13 Penalty for assisting children in care under s. 2 to run away etc.
- 14 Harboursing or concealing child required to return to local authority.
- 15 Recovery of children in care under s. 2.

#### *Provisions relating to children in care of local authorities by virtue of care order etc.*

- 16 Recovery of children subject to care order etc.

## **PART III**

### **TREATMENT OF CHILDREN WHO ARE OR HAVE BEEN IN CARE OF LOCAL AUTHORITIES**

- 17 Children to whom Part III applies.
- 18 General duty of local authority in relation to children in their care.
- 19 Power of Secretary of State to give directions to local authority for protection of public.
- 20 Review of care cases.
- 21 Provision of accommodation and maintenance for children in care.
- 22 Regulations as to boarding out.
- 23 Power of local authority to guarantee apprenticeship deeds etc. of children in their care.
- 24 Power of local authorities to arrange for emigration of children.
- 25 Burial or cremation of deceased children.
- 26 Power of local authority to defray expenses of parents etc. visiting children or attending funerals.
- 27 Financial assistance towards expenses of maintenance, education or training of persons over seventeen.
- 28 After-care of children formerly in care of local authorities under s. 2.
- 29 Power of local authority to visit and assist persons formerly in their care.
- 30 Allocation of functions as between local authority and local education authority.

## **PART IV**

### *Community Homes*

- 31 Regional planning of accommodation for children in care.
- 32 Regional plans for community homes.
- 33 Approval and variation of regional plans.
- 34 Provision of community homes by local authorities.
- 35 Instruments of management for assisted and controlled community homes.
- 36 Supplementary provisions as to instruments of management and trust deeds.
- 37 Management of controlled community homes.
- 38 Management of assisted community homes.
- 39 Regulations as to conduct of community homes etc.
- 40 Directions that premises no longer to be used for community home.

**Changes to legislation:** There are currently no known outstanding effects for the  
Child Care Act 1980 (repealed 14.10.1991). (See end of Document for details)

---

- 41 Controlled and assisted community homes exempted from certain provisions of Part VI.
- 42 Determination of disputes relating to controlled and assisted community homes.
- 43 Discontinuance by voluntary organisation of controlled or assisted community home.
- 44 Financial provisions applicable on cessation of controlled or assisted community home.

## **PART V**

### **CONTRIBUTIONS TOWARDS MAINTENANCE OF CHILDREN IN CARE OF LOCAL AUTHORITIES**

- 45 Liability for contributions in respect of children in care.
- 46 Amount of contributions.
- 47 Contribution orders.
- 48 Variation of contribution orders.
- 49 Transfer of payments under an affiliation order to local authority.
- 50 Application by local authority for affiliation order.
- 51 Recovery of arrears of contributions.
- 52 Appeals from orders made under Part V.
- 53 Contributions received by a local authority which are payable over to another authority.
- 54 Supplementary provisions regarding payment of arrears.
- 55 Proceedings by or against a person residing in Scotland or Northern Ireland.

## **PART VI**

### **VOLUNTARY HOMES AND VOLUNTARY ORGANISATIONS**

#### *Definition of voluntary home*

- 56 Definition of voluntary home.

#### *Registration etc. of voluntary homes*

- 57 Registration of voluntary homes.
- 58 Appeals.
- 59 Notification of particulars with respect to voluntary homes.

#### *Regulations as to voluntary homes and organisations*

- 60 Regulations as to conduct of voluntary homes.
- 61 Regulations as to the boarding out of children by voluntary organisations.
- 62 Regulations as to arrangements by voluntary organisations for emigration of children.

#### *Restriction on removal of child from care of voluntary organisation*

- 63 Restriction on removal of child from care of voluntary organisation.

#### *Transfer of parental rights and duties in relation to children in care of voluntary organisations*

- 64 Transfer of parental rights and duties to voluntary organisations.

*Changes to legislation: There are currently no known outstanding effects for the  
Child Care Act 1980 (repealed 14.10.1991). (See end of Document for details)*

---

- 65 Duty of local authority to assume parental rights and duties.
- 66 Effect of resolutions under ss. 64 and 65.
- 67 Appeals by parents etc.

*Visiting of children in voluntary homes*

- 68 Visiting of children in voluntary homes.

*After-care of children formerly in care of voluntary organisations*

- 69 After-care of children formerly in care of voluntary organisations.

*Returns of information*

- 70 Returns of information by voluntary organisations.

**PART VII**

**MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS**

*Advisory Council on Child Care*

- 71 Advisory Council on Child Care.

*Powers and duties of local authorities*

- 72 Accommodation of persons over school age in convenient community home.
- 73 Provisions as to places of safety etc.

*Inspection and Inquiries*

- 74 Inspection of children's homes etc. by persons authorised by Secretary of State.
- 75 Powers of entry supplemental to s. 74.
- 76 Inquiries.

*Research and training*

- 77 Research.
- 78 Grants for training in child care.

*Returns of information and presentation of reports etc. to Parliament*

- 79 Returns of information and presentation of reports etc. to Parliament.

*Financial Provisions*

- 80 Expenses of Secretary of State in providing homes offering specialised facilities.
- 81 Grants in respect of secure accommodation.
- 82 Grants in respect of voluntary homes which are assisted community homes.
- 83 Administrative expenses of Secretary of State.

*Supplementary provisions*

- 84 Prosecution of offences.
- 85 Regulations and orders.

**Changes to legislation:** There are currently no known outstanding effects for the  
Child Care Act 1980 (repealed 14.10.1991). (See end of Document for details)

---

- 86 Provisions as to copies of orders.
- 87 Interpretation.
- 88 Application to Isles of Scilly.
- 89 Transitional provisions, consequential amendments and repeals.
- 90 Commencement
- 91 Short title, and extent.

---

## SCHEDULES

### SCHEDULE 1 — Children's Regional Planning Committees

- 1 (1) Subject to the following provisions of this Schedule, the...
- 2 (1) Subject to sub-paragraph (2) of this paragraph, the relevant...
- 3 (1) Without prejudice to any power of co-option conferred on...
- 4 The relevant authorities for a planning area shall so exercise...
- 5 Subject to any directions given by the relevant authorities, the...
- 6 Section 103 of the Local Government Act 1972 (which relates...

### SCHEDULE 2 — Modification of Provisions of Part V of this Act in Relation to Persons Residing in Scotland or Northern Ireland

- 1 Where the person liable to make contributions in respect of...
- 2 (1) Where the person to be charged under a contribution...
- 3 Where the person on whom a contribution order or arrears...
- 4 (1) Where the putative father of an illegitimate child resides...
- 5 Where the putative father of a child in respect of...
- 6 Where the person who was liable to make contributions in...
- 7 Where the person liable to make payments under an order...

### SCHEDULE 3 —

#### *Constitution of Appeal Tribunals*

- 1 For the purpose of enabling appeal tribunals to be constituted...
- 2 (1) No person shall be qualified to be appointed to...
- 3 Any person appointed to be a member of either of...
- 4 Where any appeal is required to be determined by a...

### SCHEDULE 4 — Transitional Provisions and Savings

#### *Children in care under Children Act 1948*

- 1 Any reference in this Act to a child in the...

#### *Children in care by virtue of an order which is deemed to be a care order*

- 2 Any reference in this Act to a care order committing...
- 3 Sections 23 and 29 of this Act shall apply in...

#### *Periods of time*

- 4 Where a period of time specified in an enactment repealed...

#### *Custodians*

- 5 If at the commencement of this Act section 33 of...

**Changes to legislation:** There are currently no known outstanding effects for the  
Child Care Act 1980 (repealed 14.10.1991). (See end of Document for details)

---

*Children in care by virtue of order under Matrimonial  
Proceedings (Magistrates' Courts) Act 1960*

6 Sections 23 and 29 of this Act shall apply in...

*References to section 9 of the Domestic Proceedings and Magistrates' Courts Act 1978*

7 If at the commencement of this Act section 9 of...

*References to provisions of Adoption Act 1976 and Adoption (Scotland) Act 1978*

8 If at the commencement of this Act any provision of...

*Saving of amendments*

9 Notwithstanding the repeal by this Act of section 60 of...

**SCHEDULE 5 — CONSEQUENTIAL AMENDMENTS**

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

1 In section 96 of the Children and Young Persons Act...

*Maintenance Orders Act 1950 (c. 37)*

2 In section 15(1) of the Maintenance Orders Act 1950 after...

3 In section 16(2)(a) of the said Act of 1950, in...

*Affiliation Orders Act 1952 (c. 41)*

4 In section 3 of the Affiliation Orders Act 1952—

*The Magistrates' Courts Act 1952 (c. 55)*

5 In section 56(1) of the Magistrates' Courts Act 1952 after...

*Affiliation Proceedings Act 1957 (c. 55)*

6 In section 5(2) of the Affiliation Proceedings Act 1957—

7 In section 6A(3) of the said Act of 1957 for...

8 In section 7 of the said Act of 1957—

*Children Act 1958 (c. 65)*

9 In section 2(3)(b) of the Children Act 1958 for the...

10 In section 6(1)(d) of the said Act of 1958 after...

11 In section 7(4) of the said Act of 1958 for...

*Mental Health Act 1959 (c. 72)*

12 In section 9 of the Mental Health Act 1959—

13 In section 10(1)(a) of the said Act of 1959—

14 in section 50 of the said Act of 1959—

*Mental Health (Scotland) Act 1960 (c. 61)*

15 In section 10(1)(a) of the Mental Health (Scotland) Act 1960—...

16 In section 46 of the said Act of 1960—

*London Government Act 1963 (c. 33)*

- 17 In section 47(4) of the London Government Act 1963 for...

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

- 18 In section 63 of the Children and Young Persons Act...

*Health Services and Public Health Act 1968 (c. 46)*

- 19 In section 64(3)(a) of the Health Services and Public Health...  
20 In section 65(3)(b) of the said Act of 1968 there...

*Social Work (Scotland) Act 1968 (c. 49)*

- 21 In section 21(3) of the Social Work (Scotland) Act 1968...  
22 In section 86(3) of the said Act of 1968 for...

*Family Law Reform Act 1969 (c. 46)*

- 23 In section 7 of the Family Law Reform Act 1969—...

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

- 24 In section 22(4) of the Children and Young Persons Act...  
25 In section 26(3) of the said Act of 1969 the...  
26 In paragraph 11 of Schedule 5 to the said Act...

*Administration of Justice Act 1970 (c. 31)*

- 27 In Schedule 1 to the Administration of Justice Act 1970...  
28 In Schedule 8 to the said Act of 1970—

*Local Authority Social Services Act 1970 (c. 42)*

- 29 In Schedule 1 to the Local Authority Social Services Act...

*Guardianship of Minors Act 1971 (c. 3)*

- 30 In section 5(2) of the Guardianship of Minors Act 1971...  
31 In section 14A(4) of the said Act of 1971 for...

*Attachment of Earnings Act 1971 (c. 32)*

- 32 In Schedule 1 to the Attachment of Earnings Act 1971—...

*Tribunals and Inquiries Act 1971 (c. 62)*

- 33 In paragraph 4 of Schedule 1 to the Tribunals and...

*Matrimonial Causes Act 1973 (c. 18)*

- 34 In section 43 of the Matrimonial Causes Act 1973—

*Guardianship Act 1973 (c. 29)*

- 35 In section 4 of the Guardianship Act 1973 for subsection...

**Changes to legislation:** There are currently no known outstanding effects for the  
Child Care Act 1980 (repealed 14.10.1991). (See end of Document for details)

---

*Legal Aid Act 1974 (c. 4)*

- 36 In Schedule 1 to the Legal Aid Act 1974 for...

*Children Act 1975 (c. 72)*

- 37 In section 103(1)(a) of the Children Act 1975 for paragraph...

*Adoption Act 1976 (c. 36)*

- 38 In section 31(3) of the Adoption Act 1976 for the...  
39 In section 34(3) of the said Act of 1976 for...

*Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)*

- 40 In section 8(7) of the Domestic Proceedings and Magistrates' Courts...  
41 In section (4) of the said Act of 1978 for...  
42 In section 10 of the said Act of 1978—

SCHEDULE 6 — REPEALS



**Changes to legislation:**

There are currently no known outstanding effects for the Child Care Act 1980 (repealed 14.10.1991).