# Schedules

## Schedule 1

### Section 31(4).

**Children's Regional Planning Committees**

1. Subject to the following provisions of this Schedule, the children's regional planning committee for a planning area (in this Schedule referred to as "the committee") shall consist of such number of persons selected and appointed in such manner and holding office on such terms as the relevant authorities may from time to time approve.

2. No person who is disqualified by virtue of section 80 of the Local Government Act 1972 from being a member of any local authority which is one of the relevant authorities for a planning area may be a member of the committee for that area.

3. Without prejudice to any power of co-option conferred on the committee for a planning area under paragraph 1(1) of this Schedule, but subject to paragraph 3 of this Schedule, the nominated members of the committee may co-opt other persons to serve as members of the committee, either generally or in relation only to such matters as may be specified by the nominated members.

4. The relevant authorities for a planning area shall so exercise their powers under paragraph 1(1) of this Schedule, and the nominated members of the committee for a planning area shall so limit any exercise of their power under paragraph 3 of this Schedule, as to secure that at all times a majority of the members of the committee for the planning area are members of the relevant authorities.

5. Subject to any directions given by the relevant authorities, the procedure and quorum of the committee for a planning area shall be such as may be determined by the nominated members.
Section 103 of the Local Government Act 1972 (which relates to the expenses of joint committees of local authorities) shall apply to the committee for a planning area as it applies to such a joint committee as is mentioned in that section, but as if—

(a) for references to the local authorities by whom the committee is appointed there were substituted references to the relevant authorities; and

(b) for paragraphs (a) and (b) of that section there were substituted the words " by the Secretary of State ";

and Part VIII of the Local Government Act 1972 (which relates to accounts and audit) shall apply to the accounts of the committee for a planning area as it applies to the accounts of such a joint committee as is mentioned in section 154(1) of that Act.

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 a child is for the time being residing in Scotland or Northern Ireland, section 45(2) of this Act shall have effect as if for the reference to the local authority for the area in which that person is for the time being residing there were substituted a reference to the local authority having the care of the child.

2 (1) Where the person to be charged under a contribution order resides in Scotland or Northern Ireland, section 47(1) of this Act shall have effect as if for the reference to a magistrates' court appointed for the commission area where that person is for the time being residing there were substituted a reference to a magistrates' court having jurisdiction within the area of the authority entitled to receive the contributions.

(2) Where the person on whom a contribution order has been made is for the time being residing in Scotland or Northern Ireland, section 47(4) of this Act shall have effect as if the words from " except that" to the end of the subsection were omitted.

3 Where the person on whom a contribution order or arrears order has been made is for the time being residing in Scotland or Northern Ireland, section 48(1) of this Act shall not apply.

4 (1) Where the putative father of an illegitimate child resides in Scotland or Northern Ireland, subsections (1) and (2) of section 49 of this Act shall have effect as if for the reference in each subsection to the commission area where the putative father is for the time being residing there were substituted a reference to the place where the mother of the child is for the time being residing.

(2) Where the person liable under an affiliation order in respect of which an order under section 49(1) or (2) of this Act is in force is for the time being residing in Scotland or Northern Ireland, paragraph (a) of section 49(4) of this Act shall not apply.

5 Where the putative father of a child in respect of whom an order has been made under section 49 of this Act is for the time being residing in Scotland or Northern Ireland, section 50(5) of this Act shall have effect as if for references to the local authority whose area includes the place where the putative father of the child resides, and to the magistrates' court appointed for the commission area which includes that place, there were substituted references to the local authority who, if
the affiliation order were still in force, would be entitled to payments thereunder, and to a magistrates' court having jurisdiction within the area of that authority.

6 Where the person who was liable to make contributions in respect of a child resides in Scotland or Northern Ireland, section 51(1) of this Act shall have effect as if for the reference to the magistrates' court therein mentioned there were substituted a reference to a magistrates' court having jurisdiction in the area or part of the area of the local authority which is applying for an arrears order.

7 Where the person liable to make payments under an order made under section 47, 49, 50 or 51 of this Act is for the time being residing in Scotland or Northern Ireland, section 54(1) of this Act shall have effect as if for the reference to the local authority within whose area the person liable under the order is for the time being residing there were substituted a reference to the local authority to whom sums are payable under the order and as if for the words "when he was not resident in the area of that authority" there were substituted the words "when that authority were not entitled to sums payable under the order".

SCHEDULE 3

Constitution of Appeal Tribunals

1 For the purpose of enabling appeal tribunals to be constituted as occasion may require, there shall be appointed two panels, that is to say—

(a) a panel (hereinafter referred to as the "legal panel") appointed by the Lord Chancellor, of persons who will be available to act when required as chairman of any such tribunal; and

(b) a panel (hereinafter referred to as the "welfare panel") appointed by the Lord President of the Council, of persons who will be available to act when required as members of any such tribunal.

2 (1) No person shall be qualified to be appointed to the legal panel unless he possesses such legal qualifications as the Lord Chancellor considers suitable, and no person shall be qualified to be appointed to the welfare panel unless he has had such experience in children's welfare work as the Lord President of the Council considers suitable.

(2) An officer of any government department shall be disqualified from being appointed to either of the said panels.

3 Any person appointed to be a member of either of the said panels shall hold office as such subject to such conditions as to the period of his membership and otherwise as may be determined by the Lord Chancellor or the Lord President of the Council, as the case may be.

4 Where any appeal is required to be determined by a tribunal constituted in accordance with this Schedule, the tribunal shall consist of a chairman being a member of the legal panel and two other members being members of the welfare panel, and the chairman and other members of the tribunal shall be impartial persons appointed from those panels by the Lord Chancellor and the Lord President of the Council respectively.
SCHEDULE 4

Section 89.

TRANSITIONAL PROVISIONS AND SAVINGS

Children in care under Children Act 1948

1 Any reference in this Act to a child in the care of a local authority under section 2 of this Act shall be construed as including a reference to a child received into the care of the authority under section 1 of the Children Act 1948.

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 a child to the care of a local authority shall be construed as including an order made under the Children and Young Persons Act 1933 which is deemed, by virtue of Schedule 4 to the Children and Young Persons Act 1969, to be a care order committing the child to the care of that authority.

3 Sections 23 and 29 of this Act shall apply in relation to a child who is or has been in the care of a local authority by virtue of an order made under the Children and Young Persons Act 1933 which is deemed by virtue of paragraph 8 of Schedule 4 to the Children and Young Persons Act 1969 to be a care order as they apply in relation to a child who is or has been in the care of a local authority under section 2 of this Act.

Periods of time

4 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.

Custodians

5 If at the commencement of this Act section 33 of the Children Act 1975 (which relates to custodianship orders) is not in force, then, until that section is in force,—
   (a) section 3 of this Act shall have effect as if in subsections (1) and (10) the words " or custodian " were omitted; and
   (b) section 5 of this Act shall have effect as if in subsection (1)(a) for the words " parent, guardian or custodian" there were substituted the words " parent or guardian ".

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 relation to a child who is or has been in the care of a local authority by virtue of an order made under the Matrimonial Proceedings (Magistrates' Courts) Act 1960 as they apply in relation to a child who is or has been in the care of a local authority under section 2 of this Act.

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

7 If at the commencement of this Act section 9 of the Domestic Proceedings and Magistrates' Courts Act 1978 (which relates to supervision orders) is not in force
then, until that section is in force, the references in sections 78 and 79 of this Act to that section shall be construed as references to section 2(1)(f) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960.

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

If at the commencement of this Act any provision of the Adoption Act 1976 or the Adoption (Scotland) Act 1978 referred to in this Act is not in force, then any reference in this Act to that provision shall, until that provision is in force, be construed as a reference to the enactment for which that provision, when it is in force, will be substituted.

Saving of amendments

Notwithstanding the repeal by this Act of section 60 of and Schedule 3 to the Children Act 1948, the amendments made by that Schedule to the Children and Young Persons Act 1933 shall continue to have the same effect as they had immediately before the commencement of this Act.

SCHEDULE 5

CONSEQUENTIAL AMENDMENTS

Children and Young Persons Act 1933 (c.12)

In section 96 of the Children and Young Persons Act 1933 after subsection (1) there shall be inserted the following subsection—

“(1A) The local authorities for the purposes of Parts III and IV of this Act shall be the councils of counties (other than metropolitan counties), of metropolitan districts and of London boroughs and the Common Council of the City of London.”.

Maintenance Orders Act 1950 (c.37)

In section 15(1) of the Maintenance Orders Act 1950 after the words " Children Act 1975 " there shall be inserted the words " or section 55 of the Child Care Act 1980 ".

In section 16(2)(a) of the said Act of 1950, in sub-paragraph (iv) for the words " section 26 of the Children Act 1948 " there shall be substituted the words " section 50 of the Child Care Act 1980 " and in sub-paragraph (v) for the words " section 87 of the Children and Young Persons Act 1933 " there shall be substituted the words " section 47 of the Child Care Act 1980 ".

The Affiliation Orders Act 1952 (c.41)

In section 3 of the Affiliation Orders Act 1952—

(a) in subsection (3)(a)(ii) for the words " section 1 of the Children Act 1948 " there shall be substituted the words " section 2 of the Child Care Act 1980 ";

(b) in subsection (6) for the words "section 1 of the Children Act 1948 " there shall be substituted the words " section 2 of the Child Care Act 1980 ".
In section 56(1) of the Magistrates' Courts Act 1952 after paragraph (m) there shall be added the following paragraph—

“(n) section 47, 49 or 50 of the Child Care Act 1980 ;”.

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

(a) for paragraph (a) there shall be substituted the following paragraph—

“(a) section 49 of the Child Care Act 1980 (which provides that, where an illegitimate child is in the care of a local authority, the authority entitled to receive contributions in respect of the child under section 45(2) of that Act may be given the benefit of payments under an affiliation order in respect of the child);”;

(b) paragraph (b) shall be omitted;

(c) in paragraph (d) for the words "section 26 of the Children Act 1948" there shall be substituted the words "section 50 of the Child Care Act 1980".

In section 6A(3) of the said Act of 1957 for the words "section 1 of the Children Act 1948" there shall be substituted the words "section 2 of the Child Care Act 1980".

In section 7 of the said Act of 1957—

(a) in subsection (4)(a) for the words "section 1 of the Children Act 1948" there shall be substituted the words "section 2 of the Child Care Act 1980";

(b) in subsection (6) for the words "section 1 of the Children Act 1948" there shall be substituted the words "section 2 of the Child Care Act 1980".

In section 2(3)(b) of the Children Act 1958 for the words "Part V of the Children and Young Persons Act 1933" there shall be substituted the words "Part VI of the Child Care Act 1980".

In section 6(1)(d) of the said Act of 1958 after the words "Children Act 1948" there shall be inserted the words "or under section 3 of the Child Care Act 1980".

In section 7(4) of the said Act of 1958 for the words "section 1 of the Children Act 1948" there shall be substituted the words "section 2 of the Child Care Act 1980" and for the words "the said section 1" there shall be substituted the words "the said section 2".

In section 9 of the Mental Health Act 1959—

(a) in subsection (1) for the words "section 38 of the Children and Young Persons Act 1969" there shall be substituted the words "section 34 of the Child Care Act 1980" and for the words "Part II of the Children Act 1948" there shall be substituted the words "Part III of that Act";

(b) in subsection (3) for the words "section 1 of the Children Act 1948" there shall be substituted the words "section 2 of the Child Care Act 1980";

(c) in subsection (4) for the words "Children Act 1948" there shall be substituted the words "Child Care Act 1980".
13  In section 10(1)(a) of the said Act of 1959—
   (a) for sub-paragraph (i) there shall be substituted the following sub-paragraph
   
   “(i) section 10 of the Child Care Act 1980 (which relates to the powers and duties of local authorities with respect to persons committed to their care under the Children and Young Persons Act 1969);”;

   (b) for sub-paragraph (iii) there shall be substituted the following sub-paragraph—
   
   “(iii) section 3 of the Child Care Act 1980 (which relates to the assumption by a local authority of parental rights and duties in relation to a child in their care);”.

14  In section 50 of the said Act of 1959—
   (a) for paragraph (a) there shall be substituted the following paragraph—
   
   “(a) section 10 of the Child Care Act 1980 (which relates to the powers and duties of local authorities with respect to persons committed to their care under the Children and Young Persons Act 1969);”;

   (b) for paragraph (c) there shall be substituted the following paragraph—
   
   “(c) section 3 of the Child Care Act 1980 (which relates to the assumption by a local authority of parental rights and duties in relation to a child in their care);”;

   (c) for the words " subsection (2) of the said section 3 " there shall be substituted the words " subsection (1) of the said section 3 ".

15  In section 10(1)(a) of the Mental Health (Scotland) Act 1960—
   (a) in sub-paragraph (ii) for the words " section 24 of the Children and Young Persons Act 1969 " there shall be substituted the words " section 10 of the Child Care Act 1980; "

   (b) for sub-paragraph (iii) there shall be substituted the following sub-paragraph—
   
   “(iii) section 3 of the Child Care Act 1980 (which relates to the assumption by a local authority of parental rights and duties in relation to a child in their care);”.

16  In section 46 of the said Act of 1960—
   (a) in paragraph (b) for the words " section 24 of the Children and Young Persons Act 1969 " there shall be substituted the words " section 10 of the Child Care Act 1980; "

   (b) in paragraph (d) for the words " Children Act 1948 " there shall be substituted the words " Child Care Act 1980; "

   (c) for the words " subsection (2) of the said section 3 " there shall be substituted the words " subsection (1) of the said section 3 ".
London Government Act 1963 (c. 33)

17 In section 47(4) of the London Government Act 1963 for the words "Children Act 1948 or the Children and Young Persons Act 1933" there shall be substituted the words "Child Care Act 1980".

Children and Young Persons Act 1963 (c.37)

18 In section 63 of the Children and Young Persons Act 1963 after subsection (1) there shall be inserted the following subsection—

“(1A) The local authorities for the purposes of Parts I and III of this Act shall be the councils of counties (other than metropolitan counties), of metropolitan districts and of London boroughs and the Common Council of the City of London.”.

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

19 In section 64(3)(a) of the Health Services and Public Health Act 1968 there shall be added at the end the following paragraph—

“(xix) the Child Care Act 1980 except so far as it relates to any voluntary home designated as mentioned in section 35(1) of that Act as a controlled or assisted community home”.

20 In section 65(3)(b) of the said Act of 1968 there shall be added at the end the following paragraph—

“(xx) the Child Care Act 1980”.

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

21 In section 21(3) of the Social Work (Scotland) Act 1968 for the words "section 13 of the Children Act 1948" there shall be substituted the words "section 21 of the Child Care Act 1980".

22 In section 86(3) of the said Act of 1968 for the words "Children Act 1948, the Children and Young Persons Act 1933" there shall be substituted the words "Child Care Act 1980".

Family Law Reform Act 1969 (c.46)

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

(a) in subsection (2) for the words "Part II of the Children Act 1948" there shall be substituted the words "Part III of the Child Care Act 1980" and for the words "section 1" there shall be inserted the words "section 2"; and

(b) in subsection (3) there shall be added at the end the words "and as if, in relation to a ward of court, the reference in subsection (5)(b) to sections 24 and 28 of the Child Care Act 1980 included a reference to section 23 of that Act (guarantee of apprenticeship deeds) and section 29 of that Act (visiting and assistance of persons formerly in care)."
Children and Young Persons Act 1969 (c.54)

24 In section 22(4) of the Children and Young Persons Act 1969 for the words "section 13(2) of the Children Act 1948 " there shall be substituted the words "section 21(2) of the Child Care Act 1980 ".

25 In section 26(3) of the said Act of 1969 the words "and in section 27(4) the words from ' and if' onwards " shall be omitted and for the words "section 13(2) of the Children Act 1948 " there shall be substituted the words "section 21(2) of the Child Care Act 1980 ".

26 In paragraph 11 of Schedule 5 to the said Act of 1969 for the words from "for the words "to the end of the paragraph there shall be substituted the words "for the words from 'section fifty-six' to 'Schedule to' there shall be substituted the words 'section fifty-six of."

Administration of Justice Act 1970 (c.31)

27 In Schedule 1 to the Administration of Justice Act 1970 at the end there shall be added the following paragraph—

"Proceedings on appeal under section 6 of the Child Care Act 1980".

28 In Schedule 8 to the said Act of 1970—

(a) in paragraph 5 for the words "section 26 of the Children Act 1948" there shall be substituted the words "section 50 of the Child Care Act 1980 ";

(b) in paragraph 6 for the words "section 87 of the Children and Young Persons Act 1933, section 30 of the Children and Young Persons Act 1963 " there shall be substituted the words "section 47 or 51 of the Child Care Act 1980 ".

Local Authority Social Services Act 1970 (c.42)

29 In Schedule 1 to the Local Authority Social Services Act 1970 there shall be added at the end the following entry—

"Child Care Act 1980 (c.5)

Promotion of welfare of children; provision for orphans, deserted children, children suffering from mental disorder etc.; assumption by local authority of parental rights; children in care; financing of children's maintenance and education etc.; assistance of persons formerly in care; accommodation for children in care; registration of voluntary children's homes and use of voluntary organisations; research into matters connected with functions under enactments relating to children and young persons."


Guardianship of Minors Act 1971 (c.3)
30 In section 5(2) of the Guardianship of Minors Act 1971 for the words "section 2 of the Children Act 1948" there shall be substituted the words "section 3 of the Child Care Act 1980".

31 In section 14A(4) of the said Act of 1971 for the words "Part II of the Children Act 1948" there shall be substituted the words "Part III of the Child Care Act 1980".

Attachment of Earnings Act 1971 (c.32)
32 In Schedule 1 to the Attachment of Earnings Act 1971 —
(a) in paragraph 6 for the words "section 26 of the Children Act 1948" there shall be substituted the words "section 50 of the Child Care Act 1980"; and
(b) in paragraph 7 for the words "section 87 of the Children and young Persons Act 1933, section 30 of the Children and Young Persons Act 1963" there shall be substituted the words "section 47 or 51 of the Child Care Act 1980".

Tribunals and Inquiries Act 1971 (c.62)
33 In paragraph 4 of Schedule 1 to the Tribunals and Inquiries Act 1971 for the words "section 30 of, and Part I of Schedule 1 to, the Children Act 1948" there shall be substituted the words "section 58 of, and Schedule 3 to, the Child Care Act 1980".

Matrimonial Causes Act 1973 (c.18)
34 In section 43 of the Matrimonial Causes Act 1973—
(a) in subsection (1) for the words "Part II of the Children Act 1948" there shall be substituted the words "Part III of the Child Care Act 1980" and for the words "section 1 of that Act" there shall be substituted the words "section 2 of that Act"; and
(b) for subsection (5) there shall be substituted the following subsection—

"(5) In the application of Part III of the Child Care Act 1980 by virtue of this section—
(a) the exercise by the local authority of their powers under sections 18, 21 and 22 of that Act (which among other things relate to the accommodation and welfare of a child in the care of a local authority) shall be subject to any directions given by the court; and
(b) section 24 of that Act (which relates to arrangements for the emigration of such a child) and section 28 of that Act (which relates to the aftercare of a child in the care of a local authority under section 2 of that Act) shall not apply."

Guardianship Act 1973 (c.29)
35 In section 4 of the Guardianship Act 1973 for subsection (4) there shall be substituted the following subsection—
“(4) On the making of an order under section 2(2)(b) above with respect to a minor, Parts III and V of the Child Care Act 1980 (which relate to the treatment of children in the care of a local authority and to contributions towards their maintenance) shall apply as if the minor had been received by the local authority into their care under section 2 of that Act except that—

(a) the exercise by the local authority of their powers under sections 18 and 21 of that Act shall, where the order is made by the High Court, be subject to any directions given by the court;

(b) section 24 of that Act (which relates to arrangements for emigration) shall not apply;

(c) section 28 of that Act (which relates to the after-care of a child in the care of a local authority under section 2 of that Act) shall not apply; and

(d) section 45(1) of that Act so far as it requires a child's father or mother to make contributions in respect of him shall not apply, but so that references to the local authority who are entitled to receive contributions shall be construed as if section 45(1) did so apply.”.

**Legal Aid Act 1974 (c.4)**

36 In Schedule 1 to the Legal Aid Act 1974 for paragraph 3(g) there shall be substituted the following sub-paragraph—

“(g) proceedings under section 3, 5 or 67(2) of the Child Care Act 1980”.

**Children Act 1975 (c.72)**

37 In section 103(1)(a) of the Children Act 1975 for paragraph (iii) there shall be substituted the following paragraph—

“(iii) section 7 of the Child Care Act 1980”.

**Adoption Act 1976 (c.36)**

38 In section 31(3) of the Adoption Act 1976 for the words "section 86 of the Children and Young Persons Act 1933" there shall be substituted the words "section 45 of the Child Care Act 1980".

39 In section 34(3) of the said Act of 1976 for the words "section 1 of the Children Act 1948" there shall be substituted the words "section 2 of the Child Care Act 1980".

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

40 In section 8(7) of the Domestic Proceedings and Magistrates' Courts Act 1978 for the words "Part II of the Children Act 1948" there shall be substituted the words "Part III of the Child Care Act 1980".

41 In section 9(4) of the said Act of 1978 for the words "Part II of the Children Act 1948" there shall be substituted the words "Part III of the Child Care Act 1980".

42 In section 10 of the said Act of 1978—

(a) for subsection (4) there shall be substituted the following subsection—

“(4) On the making of an order under this section—
(a) Part III of the Child Care Act 1980 (which relates to the
treatment of children in the care of a local authority),
except section 24 (which relates to arrangements for the
emigration of such children) and section 28 (which relates
to the after-care of children who have been in the care of
a local authority under section 2 of that Act); and

(b) for the purposes only of contributions by the child himself
at a time when he has attained the age of 16 and is
engaged in remunerative full-time work, Part V of that Act
(which relates to contributions towards the maintenance of
children in the care of a local authority),

shall apply as if the child had been received by the local authority
into their care under section 2 of that Act”;

(b) in subsection (8) for the words "Part II of the Children Act 1948 " there
shall be substituted the words "Part III of the Child Care Act 1980 ".

SCHEDULE 6

REPEALS

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<td>The Local Authority Social Services Act 1970.</td>
<td>In Schedule 1, the entries relating to the Children Act 1948 and Part I of the Children and Young Persons Act 1963, in the entry relating to Part I of the said Act of 1963 the words &quot;Promotion of welfare of children&quot; and &quot;recovery of contributions in respect of child&quot; and in the entry relating to the Children and Young Persons Act 1969 the words &quot;accommodation for children in care&quot;.</td>
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<tr>
<td>1975 c. 18.</td>
<td>The Social Security (Consequential Provisions) Act 1975.</td>
<td>In Schedule 1, in paragraph 3(c) the words &quot;section 2 or 4 of the Children Act 1948.&quot;</td>
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<td>In Schedule 2, paragraph 9.</td>
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</tbody>
</table>
### SCHEDULE 6 – Repeals

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

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Short Title</th>
<th>Extent of Repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Sections 67, 71 and 98.</td>
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<td>In Schedule 3, paragraphs 4 to 6, 42, 71, 72 and 73(1)(a).</td>
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</tbody>
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