

PROTECTION OF CHILDREN ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 14 – Short title, commencement and extent

24. *Section 14* gives the Protection of Children Act its title (*subsection (1)*); empowers the Secretary of State to make orders bringing it into force in whole or in part and at different times (*subsection (2)*); and provides that, apart from the extension of *section 8* to the whole of the United Kingdom including Northern Ireland, the Act should otherwise apply to England and Wales only (*subsections (3) and (4)*).

The Schedule

25. *The Schedule* details the appointment, composition, tenure and management of the Tribunal.
26. *Paragraph 1* deals with the composition of the Tribunal:
Paragraph 1(1) provides for the appointment of a President and two panels – a panel from whom legally qualified chairman of individual tribunals may be appointed, and the second panel from whom the other two, lay members may be chosen;
Paragraph 1(2) provides that the tribunal in any particular case will consist of three persons – a chairman and two other members.
27. *Paragraph 2* provides for the appointment of the President and panel members:
Paragraph 2(1) lays down that the President and the Tribunal chairmen are to be appointed by the Lord Chancellor;
Paragraph 2(2) specifies that the minimum legal qualification for those appointed under *paragraph 2(1)* is to be a solicitor or barrister of at least seven years' standing;
Paragraphs 2(3) and (4) requires that the Lord Chancellor also appoints the lay panel members but in their case after consultation with the Secretary of State, and only if they satisfy any appointment criteria that may be specified in regulations.
28. *Paragraph 3* deals with the tenure of appointees:
Paragraph 3(1) provides that the President and panel members are to hold and vacate office under the terms of their instruments of appointment;
Paragraph 3(2) permits all appointees to resign by notice in writing but in all cases to remain eligible for reappointment if they cease to hold office.
29. *Paragraph 4* confers a discretion on the President to arrange meetings of panel members, and for their training.
30. *Paragraphs 5,6 and 7* empower the Secretary of State, with the consent of the Treasury, to provide the Tribunal's staff and accommodation, to pay the President and panel members, and to pay attendance allowances.

*These notes refer to the Protection of Children Act 1999
(c.14) which received Royal Assent on 15 July 1999*

31. *Paragraph 8* provides for the insertion of the new Tribunal in Schedule 1 to the Tribunal and Inquiries Act 1992, thereby putting the Tribunal under the supervision of the Council.