

## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART II

#### GENERAL

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

- 38 The Children and Young Persons Act 1969 is amended as follows.
- 39 In section 23 (remands and committals to local authority accommodation) as it has effect pursuant to section 98(2) of the Crime and Disorder Act 1998 (alternative provision for 15 and 16 year old boys)—
- (a) in subsections (1) and (5A), “a remand centre or” is omitted,
  - (b) in subsection (4)—
    - (i) at the end of paragraph (a) there is inserted “or”,
    - (ii) paragraph (b) is omitted,
    - (iii) for paragraph (c) there is substituted—
      - “(c) if paragraph (a) above does not apply, it shall remand him to a prison.”
  - (c) in subsection (5), “remand centre or” is omitted.
- 40 In section 34(3) (transitional modifications of Part I), for “probation committee” there is substituted “local probation board”.
- 41 In section 46(1) (discontinuance of approved schools etc.), “within the meaning of the Probation Service Act 1993” is omitted.
- 42 In section 70(1) (general interpretation), at the appropriate place there is inserted—  
““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;”.
- 43 (1) Schedule 3 (approved schools and other institutions) is amended as follows.
- (2) In paragraph 6(1), after “Probation Service Act 1993” there is inserted “or section 3, 5 or 9 of the Criminal Justice and Court Services Act 2000”.
  - (3) In paragraph 9—
    - (a) in sub-paragraph (2)—
      - (i) for “either” there is substituted “any”,
      - (ii) in paragraph (a), “or” is omitted,
      - (iii) after paragraph (b) there is inserted—

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*Status: This is the original version (as it was originally enacted).*

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- “(c) section 3 of the Criminal Justice and Court Services Act 2000 (functions of the Secretary of State);
    - (d) section 5 of that Act (functions of local probation boards); or
    - (e) section 9 of that Act (approved premises),”
  - (b) for sub-paragraph (4)(b) there is substituted—
    - “(b) the amount which in his opinion represents the proportion of the contributions paid by local authorities under section 90 of the Act of 1933 or (as the case may be) the proportion of the sums paid by—
      - (i) probation committees under rules made under the Probation Service Act 1993,
      - (ii) the Secretary of State under section 3 or 9 of the Criminal Justice and Court Services Act 2000, and
      - (iii) local probation boards under section 5 of that Act,which (in either case) should be treated as having been paid on account of expenditure of a capital nature in connection with the former approved institution;”.
- (4) In paragraph 10(4)(b), after “Probation Service Act 1993” there is inserted “or under section 3, 5 or 9 of the Criminal Justice and Court Services Act 2000”.