Status: *Point in time view as at 01/02/1991.*
Changes to legislation: *Naval Discipline Act 1957 (repealed), Cross Heading: Committal into care —England and Wales is up to date with all changes known to be in force on or before 22 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULES

[F1SCHEDULE 4A]

POWERS OF COURT ON TRIAL OF CIVILIAN

Textual Amendments

F1 Sch. 4A inserted by Armed Forces Act 1976 (c. 52), Sch. 4 paras. 1, **3**

Modifications etc. (not altering text)

C1 Sch. 4A excluded (1.5.2004) by Sexual Offences Act 2003 (c. 42), **s. 134(1)(d)(2)(3)**; S.I. 2004/874, **art. 2**; S.S.I. 2004/138, **art. 2**

Committal into care—England and Wales

Textual Amendments applied to the whole legislation

F1 Act repealed (prosp.) by Armed Forces Act 2006 (c. 52), ss. 378, 383, **Sch. 17** and the repeal being partly in force, as to which see individual provisions

7 (1) Without prejudice to the generality of sub-paragraph (4) of paragraph 6 above, the Secretary of State may revoke an authorisation under that paragraph and authorise another local authority in England or Wales to receive the person named in the reception order into their care.

(2) When the Secretary of State informs a local authority that he has revoked an authorisation in accordance with sub-paragraph (1) above, they shall ensure the transfer of the person named in the reception order to the local authority named in the new authorisation.

[F1X1(3) A person in the care of a local authority in England or Wales by virtue of this paragraph or paragraph 6 above shall be deemed, subject to sub-paragraph (4) below, to be the subject of a care order as defined in section 20 of the M1Children and Young Persons Act 1969 (not being an interim order as so defined) committing him to the care of that authority.

(4) The M2Children and Young Persons Act 1969 shall apply to such a person as if sections 20(3) (care order ceasing to have effect), 21(5) (appeals) and 25(2) (transfer of responsibility to Northern Ireland) were omitted.]

[F1X1(3) While an authorisation under a reception order is in force the order shall (subject to sub-paragraph (4) below) be deemed to be a care order for the purposes of the Children Act 1989, and the authorised authority shall be deemed to be the authority designated in that deemed care order.

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(3A) In sub-paragraph (3) above "care order" means a care order which is not an interim care order under section 38 of the Children Act 1989.

(4) The Children Act 1989 shall apply to a reception order which is deemed to be a care order by virtue of sub-paragraph (3) above as if sections 31(8) (designated local authority), 91 (duration of care order etc.) and 101 (effect of orders as between different jurisdication were omitted.**]**

(5) An authorisation under this paragraph or paragraph 6 above shall cease to have effect—

(a) when the Secretary of State informs the local authority that he has revoked it or that the reception order has been discharged on appeal or review; or

(b) when the case is disposed of under paragraph 8 below, or the person named in it is received into care under paragraph 9 below; or

(c) when the person named in it **[**[F2]attains—

(i) 19 years of age if he had attained 16 years of age when the reception order naming him was originally made; or

(ii) 18 years of age in any other case.**][**[F2]attains 18 years of age**]**

Editorial Information

X1 Sch. 4A para. 7(3)(3A)(4) substituted (14.19.1991) for paragraphs 7(3) and (4) by Children Act 1989 (c. 41, SIF 20), s. 108(2)(4), **Sch. 12 para. 18**; S.I. 1991/828, **art. 3(2)**

Textual Amendments

F1 Sch. 4A para. 7(3)(3A)(4) substituted (14.10.1991) for paragraphs 7(3) and (4) by Children Act 1989 (c. 41, SIF 20), s. 108(2)(4), **Sch. 12 para. 18**; S.I. 1991/828, **art. 3(2)**

F2 "attains 18 years of age" substituted (14.10.1991) for words commencing "attains–" by Children Act 1989 (c. 41, SIF 20), s. 108(2)(4), **Sch. 12 para. 18**; S.I. 1991/828, **art. 3(2)**

Marginal Citations

M1 1969 c. 54.

M2 1969 c. 54.

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