

1979 No. 125

CHILDREN AND YOUNG PERSONS

The Children and Young Persons Act 1969
(Transitional Modifications of Part I) Order 1979*Laid before Parliament in draft**Made - - - - 6th February 1979**Coming into Operation 1st March 1979*

In exercise of the powers conferred upon me by sections 34 and 69 of the Children and Young Persons Act 1969(a), I hereby make the following Order:—

1. This Order may be cited as the Children and Young Persons Act 1969 (Transitional Modifications of Part I) Order 1979 and shall come into operation on 1st March 1979.

2. Subsections (2) and (3) of section 23 of the Children and Young Persons Act 1969 shall have effect as if the references to a young person excluded a female person who has not attained the age of 17 years.

3. The Children and Young Persons Act 1969 (Transitional Modifications of Part I) Order 1977(b) is hereby revoked.

Merlyn Rees,
One of Her Majesty's Principal
Secretaries of State.

Home Office.
6th February 1979.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order excludes the application of section 23(2) and (3) of the Children and Young Persons Act 1969 to female persons under the age of 17. (By virtue of the Children and Young Persons Act 1969 (Transitional Modifications of Part I) Order 1977, which is revoked by this Order, those subsections are disapplied in relation to girls under 15.)

Section 23(2) of the 1969 Act provides that where a court remands a young person charged with or convicted of an offence or commits him for trial or sentence, and he is not released on bail, if the court certifies that he is of so unruly a character that he cannot safely be committed to the care of a local authority, it shall commit him to a prison. Section 23(3) enables such a young person who has been committed to the care of a local authority to be committed, on the application of that authority, to a prison, if the court issues a like certificate.

As modified by this Order, section 23(2) and (3) of the 1969 Act will cease to have effect in relation to female persons.

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