
STATUTORY INSTRUMENTS

1990 No. 2399

CHILDREN AND YOUNG PERSONS

The Accommodation of Children (Charge and Control) Amendment Regulations 1990

Made - - - - *3rd December 1990*
Laid before Parliament *10th December 1990*
Coming into force - - *1st January 1991*

The Secretary of State for Health, in exercise of the powers conferred by sections 22A(1) and (2) and 85(4) of the Child Care Act 1980(1) and all other powers enabling him in that behalf hereby makes the following Regulations:-

Citation and commencement

1. These Regulations may be cited as the Accommodation of Children (Charge and Control) Amendment Regulations 1990 and shall come into force on 1st January 1991.

Amendments to Accommodation of Children (Charge and Control) Regulations 1988

2. In the Accommodation of Children (Charge and Control) Regulations 1988(2) –
- (a) in regulation 3(1) (Consultation and notification) there shall be inserted at the beginning the words “Subject to regulation 6A”;
 - (b) in regulation 5 (enquiries before placement decisions) there shall be inserted at the beginning the words “Subject to regulation 6A,”, and
 - (c) after regulation 6 there shall be inserted the following regulation–

“Immediate Placements

6A –

(1) Subject to paragraph (2), nothing in regulation 3 or regulation 5 shall prevent the immediate placement of a child in circumstances in which the local authority consider that to be necessary and in accordance with their general duty under section 18 of the Act and in such a case the authority shall take steps to ensure that the provisions of these Regulations

(1) 1980 c. 5; section 22A was inserted by section 1 of the Children and Young Persons (Amendment) Act 1986 (c. 28) and section 85(4) was amended by the same section.
(2) S.I.1988/2183.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

that would otherwise have to be complied with before the placement decision is made are complied with as soon as practicable thereafter.

(2) Before an immediate placement is made pursuant to this regulation a local authority shall—

- (a) satisfy the provisions of regulations 4 and 6;
- (b) arrange for the person with whom the child is to be placed to be interviewed in order to obtain as many of the particulars specified in paragraph 1 of Schedule 1 as can be readily obtained at the interview;
- (c) obtain as many of the particulars referred to in paragraph 2 of Schedule 1 in respect of other members of the household of the person with whom the child is to be placed, as can be readily obtained.”

Signed by authority of the Secretary of State for Health.

3rd December 1990

Stephen Dorrell
Parliamentary Under-Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Accommodation of Children (Charge and Control) Regulations 1988 by making provision for the immediate placement under the 1988 Regulations of a child where a local authority consider this to be necessary. The requirements specified in the new provision are to be satisfied, pending compliance with the requirements which apply to placements under the 1988 Regulations other than immediate placements as soon as is practicable after any immediate placement has been made.