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STATUTORY INSTRUMENTS

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**1991 No. 1506**

**Children's Homes Regulations 1991**

**PART I —**

**Introductory**

**Citation and commencement**

1. These Regulations may be cited as the Children's Homes Regulations 1991 and shall come into force on 14th October 1991.

**Interpretation**

2.—(1) In these Regulations unless the context otherwise requires—

“the Act” means the Children Act 1989;

“children's home” means a registered children's home, a community home or a voluntary home;

“maintained community home” means a community home provided, managed, equipped and maintained by a local authority pursuant to section 53(3)(a) of the Act (Provision of community homes by local authorities);

“medicinal product” means anything in respect of which a product licence under the Medicines Act 1968(1) is required;

“person in charge” means in relation to a home the person appointed as the person in charge of it by the responsible authority;

“registered dental practitioner” means a person registered in the dentists register under the Dentists Act 1984(2);

“registration authority” means—

- (a) in the case of a voluntary home, the Secretary of State; and
- (b) in the case of a registered children's home, the local authority in whose area the home is situated;

“responsible authority” means—

- (a) in the case of a maintained community home, the local authority(3) by whom it is maintained;
- (b) in the case of a controlled or assisted community home, the body of managers, except in respect of a matter which is reserved, by the Act or the instrument of management, to the

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(1) 1968 c. 67.

(2) 1984 c. 24.

(3) “Local authority” is defined in section 105(1) of the Act as the council of a county, a metropolitan district, a London Borough of the Common Council of the City of London. Pursuant to section 2 of the Local Authority Social Services Act 1970 (c. 42) local authority functions under the Children Act 1989 stand referred to the social services committee of a local authority.

local authority or the voluntary organisation providing the home, and in that case means the local authority or the voluntary organisation providing the home;

- (c) in the case of a voluntary home, the voluntary organisation by whom it is provided; and
  - (d) in the case of a registered children’s home, the person carrying it on.
- (2) In the Regulations unless the context otherwise requires—
- (a) any reference to a numbered section is to the section of the Act bearing that number;
  - (b) any reference to a numbered regulation is to the regulation in these Regulations bearing that number, and any reference in a regulation to a numbered paragraph is to the paragraph of that regulation bearing that number; and
  - (c) any reference to a numbered schedule is to that numbered Schedule to these Regulations.

### **Application of Regulations**

- 3.—(1) Subject to paragraph (2)—
- (a) This Part, Part II and Part III of these Regulations apply to all children’s homes.
  - (b) Part IV of these Regulations applies only to community homes.
  - (c) Part VI of these Regulations applies only to registered children’s homes.
  - (d) Parts V and VII of these Regulations apply only to voluntary homes.
  - (e) Part VIII of these Regulations applies only to registered children’s homes and to voluntary homes.
- (2) These Regulations shall not apply to premises used only to accommodate children for the purpose of a holiday for periods of less than 28 days at a time in the case of any one child.