
STATUTORY INSTRUMENTS

1991 No. 2032

The Children (Prescribed Orders — Northern Ireland, Guernsey and Isle of Man) Regulations 1991

Amendments to Children and Young Persons Act 1969

8.—(1) The following consequential amendments shall be made to section 25 of the Children and Young Persons Act 1969⁽¹⁾ (transfers between England or Wales and Northern Ireland)—

(a) in subsection (1)—

- (i) after the words “training school order” there shall be inserted the words “or by any order which has effect as if it were a fit person order”;
- (ii) for the words “as if it were a care order” to the end of that subsection there shall be substituted the words “in a case in which there was a fit person order (or an order having effect as if it were a fit person order), as if it were a care order under section 31 of the Children Act 1989 and in a case in which there was a training school order as if it were a supervision order imposing a residence requirement as mentioned in section 12AA of this Act.”⁽²⁾;

(b) in subsection (2)—

- (i) after the words “committed by a care order” there shall be inserted the words “to which paragraph 36 of Schedule 14 to the Children Act (criminal care order transitional provisions) applies”;
- (ii) after the words “interim order” there shall be inserted the words “or who is to accommodate a person pursuant to a supervision order imposing a residence requirement as mentioned in section 12AA of this Act”;
- (iii) the words “or to the care of the Secretary of State” shall be omitted;
- (iv) for “83(3)(a), 88(3), 90 and 91(3)” there shall be substituted “88(3) and 90”;
- (v) for the words “a fit person order” there shall be substituted the words “the supervision order”;

(c) in subsection (3)—

- (i) the words “or the Ministry of Home Affairs” shall be omitted;
- (ii) for the words “or care order” there shall be substituted the words “, care order or supervision order”;
- (iii) in paragraph (b) after the words “care order” there shall be inserted the words “or supervision order”;
- (iv) sub-paragraph (i) of paragraph (b) shall be omitted;

⁽¹⁾ 1969 c. 54. Section 25 is amended by paragraph 15 of Schedule 2 to the Health and Social Services and Social Security Adjudications Act 1983 (c. 41.) and for Northern Ireland by article 3 of and Schedule 2 to S.R. & O. (N.I.) 1973/256, and articles 2(1) and 11(5) of and Schedule 1 to S.I. 1973/2163.

⁽²⁾ Section 12AA of the Children and Young Persons Act 1969 was inserted by paragraph 23 of Schedule 12 to the Children Act 1989.

- (d) in subsection (4) the words “or the Ministry of Home Affairs” and the word “Ministry” shall be omitted.
- (2) The following consequential amendments shall be made to section 26 of the Children and Young Persons Act 1969⁽³⁾ (transfers between England or Wales and the Channel Islands or the Isle of Man)—
- (a) in subsection (1) after the words “interim order” there shall be inserted “or as a supervision order imposing a residence requirement as mentioned in section 12AA of this Act” and at the end of the subsection there shall be inserted the words “and “care order” means an order made under section 31 of the Children Act 1989.”;
- (b) for the words in subsection (2) from “, subject to the following subsection” to the end of the subsection (3) there shall be substituted “be deemed to be the subject of a care order placing the child in the care of a named local authority or, where the relevant order was made as a criminal disposal in criminal proceedings, a supervision order imposing a residence requirement as mentioned in section 12AA of this Act with a requirement that the child be accommodated by a designated local authority.”

(3) Relevant designations of orders under section 26 of the Children and Young Persons Act 1969 (c. 54) are made by the Children and Young Persons (Designation of Isle of Man Orders) Order 1991 (S.I. 1991/2031), the Children and Young Persons (Designation of Guernsey Order) Order 1971 (S.I. 1971/348) and the Children and Young Persons (Designation of Jersey Orders) Order 1972 (S.I. 1972/1074).