

SCHEDULE 1

Regulation 4(2)

ORDERS ETC RELATING TO THE CARE OF CHILDREN

1. An order under section 31(1)(a) of the 1989 Act (care order).
2. An order under article 50(1)(a) of the Children (Northern Ireland) Order 1995 ^{M1} (care order).

Marginal Citations

M1 [S.I. 1995/755 \(N.I. 2\)](#).

3. An order under section 3(3) of the Children and Young Persons (Guernsey) Law 1967 (fit person order or special care order).

4. An order made further to an application as permitted under section 48(3) of the Children (Guernsey and Alderney) Law 2009 (community parenting order).

5. An order under section 31(1)(a) of the Children and Young Persons Act 2001 ^{M2} (an Act of Tynwald).

Marginal Citations

M2 [2001 c. 20](#).

6. An order or determination specified in Schedule 4 to the Children (Jersey) Law 2002 ^{M3}.

Marginal Citations

M3 [Jersey Law 50/2002](#).

7. Any order that would have been deemed to be a care order by virtue of paragraph 15 of Schedule 14 to the 1989 Act (transitional provisions for children in compulsory care).

8. A supervision order which imposes a residence requirement under paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000 ^{M4}, section 12AA of the Children and Young Persons Act 1969 ^{M5} (requirement to live in local authority accommodation) [^{F1}, paragraph 17 of Schedule 1 to the Criminal Justice and Immigration Act 2008 or paragraph 24 of Schedule 6 to the Sentencing Code].

F1 Words in [Sch. 1 para. 8](#) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 439](#) (with [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Marginal Citations

M4 [Schedule 6](#) was repealed by part 1 of Schedule 28 to the [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), subject to savings and transitional provisions specified in paragraphs 1(1) and (5) of Schedule 27 to that Act.

M5 [Section 12AA](#) was repealed by part 1 of Schedule 12 to the [Powers of Criminal Courts \(Sentencing\) Act 2000 \(c. 6\)](#).

9. A parental responsibility order made under article 7 of the Children (Northern Ireland) Order 1995 ^{M6}.

Changes to legislation: There are currently no known outstanding effects for the The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, SCHEDULE 1. (See end of Document for details)

Marginal Citations

M6 [S.I. 1995/75](#).

10. A child protection order under section 57 of the Children (Scotland) Act 1995^{M7} or section 37 of the Children's Hearings (Scotland) Act 2011^{M8}.

Marginal Citations

M7 [1995 c. 36](#). This Act was repealed by paragraph 1 of Schedule 6 to the Children's Hearings (Scotland) Act 2011 asp 1.

M8 [2011 asp 1](#).

11. An exclusion order under section 76 of the Children (Scotland) Act 1995^{M9}.

Marginal Citations

M9 [1995 c. 36](#).

12. A supervision order which imposes a residence requirement under paragraph 5 of Schedule 9 to the Children and Young Persons Act 2001 (an Act of Tynwald) (requirement to live in accommodation provided by the Department of Health and Social Security).

13. An order made at any time imposing a supervision requirement with respect to a child so as to remove that child from P's care, under—

(a) section 44 of the Social Work (Scotland) Act 1968^{M10};

(b) section 70 of the Scotland Act 1995^{M11}.

Marginal Citations

M10 [1968 c. 49](#). Section 44 was repealed by paragraph 1 of Schedule 5 to the [Children \(Scotland\) Act 1995 \(c. 36\)](#).

M11 [Section 70](#) was repealed by paragraph 1 of Schedule 6 to the Children's Hearings (Scotland) Act 2011 asp 1.

14. A compulsory supervision order, within the meaning of section 83 of the Children's Hearings (Scotland) Act 2011, or interim compulsory supervision order, within the meaning of section 86 of that Act, made at any time with respect to a child so as to remove that child from P's care.

15. An order made at any time vesting P's rights and powers with respect to a child in a local authority in Scotland—

(a) under section 16 of the Social Work (Scotland) Act 1968^{M12}; or

(b) pursuant to a parental responsibilities order under section 86 of the Children (Scotland) Act 1995^{M13}.

Marginal Citations

M12 [Section 16](#) was repealed by paragraph 1 of Schedule 5 to the [Children \(Scotland\) Act 1995 \(c. 36\)](#).

Changes to legislation: There are currently no known outstanding effects for the *The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, SCHEDULE 1. (See end of Document for details)*

M13 Section 86 was repealed by paragraph 1 of Schedule 3 to the Adoption and Children (Scotland) Act 2007 asp 4.

16. A permanence order made, or treated as being made, under section 80 of the Adoption and Children (Scotland) Act 2007 ^{M14}.

Marginal Citations

M14 2007 asp 4.

17. In relation to registration of a children's home—

- (a) a refusal of P's application for registration under section 13 of the Care Standards Act 2000 ^{M15};
- (b) cancellation of P's registration under section 14 or 20(1) of the Care Standards Act 2000;
- (c) cancellation of the registration of any person under section 14 or 20(1) of the Care Standards Act 2000 in relation to a children's home which P has been concerned in the management of, or has any financial interest in; or
- (d) refusal of P's application for registration or cancellation of P's registration under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 ^{M16}.

Marginal Citations

M15 2000 c. 14.

M16 S.I. 2003/431 (N.I.9).

18. [^{F2}In relation to the registration of a care home service, which is provided wholly or mainly to persons under the age of 18, or a secure accommodation service (each has the meaning given in Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the 2016 Act”))—]

- (a) a refusal of P's application for registration under section 7 of the 2016 Act;
- (b) a refusal under section 12 of the 2016 Act of P's application to vary P's registration (made in accordance with section 11(1)(a)(i) or (ii) of that Act);
- (c) a cancellation of P's registration under section 15(1)(b) to (f) or 23(1) of the 2016 Act;
- (d) a cancellation of the registration of any person under section 15(1)(b) to (f) or 23(1) of the 2016 Act in relation to a care home service provided wholly or mainly to persons under the age of 18 [^{F3}, or a secure accommodation service,] in which P has been concerned in the management, or in which P had any financial interest;
- (e) a variation of P's registration under section 13(3)(b) or (4)(b) or 23(1) of the 2016 Act; or
- (f) a refusal of P's application for registration or cancellation of P's registration under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 ^{M17}.

F2 Words in Sch. 1 para. 18 substituted (29.4.2019) by *The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments to Secondary Legislation) Regulations 2019* (S.I. 2019/237), reg. 1(2), **Sch. 1 para. 27(2)(a)**

F3 Words in Sch. 1 para. 18(d) inserted (29.4.2019) by *The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments to Secondary Legislation) Regulations 2019* (S.I. 2019/237), reg. 1(2), **Sch. 1 para. 27(2)(b)**

Changes to legislation: There are currently no known outstanding effects for the *The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, SCHEDULE 1. (See end of Document for details)*

Marginal Citations

M17 [S.I. 2003/431](#).

19. Refusal at any time of P's application for registration in relation to a voluntary home or a children's home, or cancellation of the registration of a voluntary home or children's home which was carried on by P or which P was otherwise concerned with the management of, or had any financial interest in, under, as the case may be—

- (a) paragraph 1 of Schedule 5 to the 1989 Act ^{M18};
- (b) paragraph 1 or 4 of Schedule 6 to the 1989 Act ^{M19};
- (c) section 127 of the Children and Young Persons Act (Northern Ireland) 1968 ^{M20};
- (d) article 80, 82, 96 or 98 of the Children (Northern Ireland) Order 1995 ^{M21};
- (e) Part 1 of the Regulation of Care (Scotland) Act 2001 ^{M22} (care home services);
- (f) Paragraph 2 or 4 of Schedule 2 to the Children and Young Persons Act 2001 (an Act of Tynwald); or
- (g) Part 5 of the Public Services Reform (Scotland) Act 2010 ^{M23}.

Marginal Citations

M18 [Paragraph 1](#) of Schedule 5 to the 1989 Act was repealed in relation to England and Wales by paragraph 1 of Schedule 6 to the Care Standards Act 2000 ("the 2000 Act").

M19 [Paragraphs 1](#) and 4 of Schedule 6 to the 1989 Act were repealed in relation to England and Wales by paragraph 1 of Schedule 6 to the 2000 Act.

M20 This section was repealed by the Children (Northern Ireland) Order 1995 (N.I. 2).

M21 [Articles 80, 82, 96](#) and 98 were revoked by paragraph 1 of Schedule 5 to the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003/431.

M22 [2001 asp 8](#). Part 1 was repealed by paragraph 37 of Schedule 14 to the Public Services Reform (Scotland) Act 2010 [asp 8](#), with savings specified in article 2 of [S.S.I. 2011/169](#).

M23 [2010 asp 8](#).

20. A prohibition imposed at any time under—

- (a) section 69 of the 1989 Act, section 10 of the Foster Children Act 1980 ^{M24} or section 4 of the Children Act 1958 (power to prohibit private fostering) ^{M25};
- (b) article 110 of the Children (Northern Ireland) Order 1995 (power to prohibit private fostering); or
- (c) section 10 of the Foster Children (Scotland) Act 1984 ^{M26} (power to prohibit the keeping of foster children);
- (d) section 59 of the Children and Young Persons Act 2001 (an Act of Tynwald) (power to prohibit or impose restrictions upon private fostering).

Marginal Citations

M24 [1980 c. 6](#), hereafter referred to as "the 1980 Act". This section was repealed by section 108 and Schedule 15 to the 1989 Act.

M25 The Children Act 1958 was repealed with savings, by section 23 and Schedule 3 to the 1980 Act and section 22 and Schedule 3 to the [Foster Children \(Scotland\) Act 1984 \(c. 56\)](#). Also see footnote (d) with regard to the repeal of the 1980 Act. The Foster Children (Scotland) Act 1984 has effect subject to transitional provisions set out in that Act.

Changes to legislation: There are currently no known outstanding effects for the *The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, SCHEDULE 1. (See end of Document for details)*

M26 1984 c. 56.

21. Refusal at any time of registration in respect of the provision of nurseries, day care, child minding or other provision of childcare, disqualification from such registration or cancellation of any such registration under—

- (a) section 1 or section 5 of the Nurseries and Child-Minders Regulation Act 1948 ^{M27};
- (b) Part 10 or Part 10A of the 1989 Act ^{M28};
- (c) Chapter 2, 3 or 4 of Part 3 of the Act;
- (d) Part XI of the Children (Northern Ireland) Order 1995;
- (e) section 11(5) or section 15 of the Children and Young Persons Act (Northern Ireland) 1968;
- (f) Part 1 of the Regulation of Care (Scotland) Act 2001 ^{M29};
- (g) section 1 of the Nurseries and Child Minders Regulation Act 1974 ^{M30} (an Act of Tynwald);
- (h) section 65 or 66 ^{M31} of, or Schedule 7 ^{M32} to, the Children and Young Persons Act 2001 (an Act of Tynwald; or
- (i) Part III of the Child Protection (Guernsey) Law 1972; or
- (j) Part 2 of the Children and Families (Wales) Measure 2010.

Marginal Citations

- M27** 1948 c. 53. This Act was repealed with savings by section 108 and paragraphs 33 and 34 of Schedule 14 and Schedule 15 to the 1989 Act.
- M28** Part 10 was repealed in relation to England and Wales by section 79 of the [Care Standards Act 2000](#) (c. 14) and in relation to Scotland by section 80 of, and Schedule 4 to the [Regulation of Care \(Scotland\) Act 2001](#) (asp. 8). Part 10A was repealed in relation to Wales by section 73 of, and Schedule 2 to the Children and Families (Wales) Measure 2010 (2010 nawm 1).
- M29** 2001 asp 8. Part 1 was repealed by paragraph 37 of Schedule 14 to the Public Services Reform (Scotland) Act 2010 asp 8, with savings specified in article 2 of [S.S.I. 2011/169](#).
- M30** This Act was repealed by section 105 of, and Schedule 13 to the Children and Young Persons Act 2001.
- M31** 2001 c. 20. Sections 65 and 66 were repealed by section 196 of the Regulation of Care Act 2013 (an Act of Tynwald) (“the 2013 Act”).
- M32** [Schedule 7](#) was repealed by section 199 of the 2013 Act.

22. Disqualification from working with children at any time under the Protection of Children (Scotland) Act 2003 ^{M33}.

Marginal Citations

- M33** 2003 asp 5. This Act was repealed by paragraph 42 of Schedule 4 to the [Protection of Vulnerable Groups \(Scotland\) Act 2007](#) (asp 14) except in relation to section 16.

23. Refusal at any time of P's application for registration or cancellation of P's registration under section 62 of the Social Work (Scotland) Act 1968 ^{M34} (registration of residential and other establishments).

Changes to legislation: There are currently no known outstanding effects for the The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, SCHEDULE 1. (See end of Document for details)

Marginal Citations

M34 1968 c. 49. Section 62 was repealed by paragraph 1 of Schedule 4 to the Regulation of Care (Scotland) Act 2001 asp 8 subject to savings specified in article 21 of S.S.I 2011/121.

24. Refusal at any time of P's application for registration as a provider of a child care agency under section 7 of the Regulation of Care (Scotland) Act 2001 or cancellation of any such registration under section 12 or 18 of that Act ^{M35}.

Marginal Citations

M35 Sections 7, 12 and 18 were repealed in Scotland by paragraph 37 of Schedule 14 to the Public Services Reform (Scotland) Act 2010 asp 8, subject to savings specified in article 21 of S.S.I 2011/121.

25. Refusal at any time of P's application for registration as a provider of a child care agency under section 59 of the Public Services Reform (Scotland) Act 2010 or cancellation of any such registration under section 64 or 65 of that Act.

26. Inclusion of P's name at any time on a list of persons unsuitable to work with children under article 3 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 or disqualification from working with children under Chapter II of Part II of that Order ^{M36}.

Marginal Citations

M36 S.I. 2003/417 (N.I. 4). Article 3 and Chapter II of Part II of that Order were partially repealed by paragraph 1 of Schedule 8 to the Safeguarding Vulnerable Groups (Northern Ireland) Order S.I. 2007/1351, for purposes specified in article 4 of SR 2009/346 and article 3 of SR 2010/145.

Changes to legislation:

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