

SCHEDULE

PART II

RELEVANT PERSONS

21. The person is a parent of a child in respect of whom an order has been made at any time under —

- (a) section 31(1)(a) of the Act (care order);
- (b) section 31(1)(b) of the Act (supervision order);
- (c) section 44(1) of the Act (emergency protection order);
- (d) article 50(1)(a) of the Children (Northern Ireland) Order 1995 (care order); or
- (e) section 31 of the Children and Young Persons Act 2001 (an Act of Tynwald).

22. One of the following orders has been made at any time with respect to a child so as to remove the child from the care of, or prevent the child living with the person —

- (a) an order under section 31(1)(a) of the Act;
- (b) any order that would have been deemed to be a care order by virtue of paragraph 15 of Schedule 14 to the Act (transitional provisions for children in compulsory care) had it been in force immediately before the day on which Part IV of the Act came into force⁽¹⁾;
- (c) a supervision order which imposes a residence requirement under paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000⁽²⁾ or section 12AA of the Children and Young Persons Act 1969⁽³⁾ (requirement to live in local authority accommodation);
- (d) an order under article 50(1)(a) of the Children (Northern Ireland) Order 1995;
- (e) a fit person order, a parental rights order or a training school order under the Children and Young Persons Act (Northern Ireland) 1968⁽⁴⁾;
- (f) a child protection order under section 57 of the Children (Scotland) Act 1995;
- (g) an exclusion order under section 76 of the Children (Scotland) Act 1995; or
- (h) 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).

23. A supervision requirement has been imposed at any time with respect to a child so as to remove that child from the person's care, under —

- (a) section 44 of the Social Work (Scotland) Act 1968⁽⁵⁾; or
- (b) section 70 of the Children (Scotland) Act 1995.

24. The person's rights and powers with respect to a child have at any time been vested in a local authority in Scotland —

- (a) under section 16 of the Social Work (Scotland) Act 1968⁽⁶⁾; or

(1) Part IV of the Act came into force on 14 October 1991.

(2) 2000 c. 6.

(3) . Section 12AA was repealed by the Powers of Criminal Courts (Sentencing) Act 2000.

(4) 1968 c. 34 (N.I.). The provisions relating to these orders were repealed by the Children (Northern Ireland) Order 1995 and the Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I.1998/1504) (N.I.9).

(5) 1968 c. 49. Section 44 was repealed by the Children (Scotland) Act 1995.

(6) Section 16 was repealed by the Children (Scotland) Act 1995

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- (b) pursuant to a parental responsibilities order under section 86 of the Children (Scotland) Act 1995.

25. The person —

- (a) has been refused registration in respect of a children’s home under section 13 of the Care Standards Act 2000;
- (b) has had their registration in respect of a children’s home cancelled under section 14 or 20(1) of the Care Standards Act 2000; or
- (c) has been concerned in the management of, or had any financial interest in, a children’s home, in respect of which the registration of any person has been cancelled under section 14 or 20(1) of the Care Standards Act 2000.

26. The person has at any time been refused registration in relation to a voluntary home or a children’s home, or who carried on, was otherwise concerned with the management of, or had any financial interest in, a voluntary home or a children’s home the registration of which was cancelled, under, as the case may be —

- (a) paragraph 1 of Schedule 5 to the Act(7);
- (b) paragraph 1 or 4 of Schedule 6 to the Act;
- (c) section 127 of the Children and Young Persons Act (Northern Ireland) 1968(8); or
- (d) article 80, 82, 96 or 98 of the Children (Northern Ireland) Order 1995.

27. The person has —

- (a) had a prohibition imposed at any time under —
 - (i) section 69 of the Act, section 10 of the Foster Children Act 1980(9) or section 4 of the Children Act 1958(10) (power to prohibit private fostering);
 - (ii) Article 110 of the Children (Northern Ireland) Order 1995 (power to prohibit private fostering);
 - (iii) section 10 of the Foster Children (Scotland) Act 1984 (power to prohibit the keeping of foster children)(11); or
 - (iv) section 59 of the Children and Young Persons Act 2001 (an Act of Tynwald) (power to prohibit or impose restrictions upon private fostering); or
- (b) been given a notice in writing by a Health and Social Services Board under section 1(3) of the Children and Young Persons Act (Northern Ireland) 1968 (withholding consent to the care and maintenance of the child being undertaken by a person).

28. The person has at any time been refused registration in respect of the provision of nurseries or day care, or for child minding, been disqualified from registration or had any such registration cancelled under, as the case may be —

- (a) section 1 or 5 of the Nurseries and Child-Minders Regulation Act 1948(12);
- (b) Part X of the Act(13);
- (c) Part XA of the Act;

(7) This provision, and those mentioned in the following sub-paragraph are repealed by the Care Standards Act 2000 with effect from 1st April 2002 (S.I. 2001/3852).

(8) This section, and all other sections of the Children and Young Persons Act (Northern Ireland) 1968 referred to below in this Schedule were repealed by the Children (Northern Ireland) Order 1995.

(9) 1980 c. 86. The Foster Children Act was repealed by the Children Act 1989.

(10) 1958 c. 65. Section 4 was repealed by the Foster Children Act 1980.

(11) 1984 c. 56.

(12) 1948 c. 53. This Act was repealed by the Children Act 1989.

(13) Part X of the Children Act 1989 was repealed by the Care Standards Act 2000 and replaced with Part XA.

- (d) (Part XI of the Children (Northern Ireland) Order 1995;
- (e) section 11(5) or 15 of the Children and Young Persons Act (Northern Ireland) 1968;
- (f) the Regulation of Care (Scotland) Act 2001(14);or
- (g) section 65 or section 66 or section 69 of, or Schedule 7 to, the Children and Young Persons Act 2001 (an Act of Tynwald).

29. The person has at any time been refused registration or had such registration cancelled under section 62 of the Social Work (Scotland) Act 1968 (registration of residential and other establishments).

30. The person has at any time been refused registration as a provider of a child care agency under section 7 of the Regulation of Care (Scotland) Act 2001 or has had such registration cancelled under section 12 of that Act.

31. The person has at any time been included on a list of persons unsuitable to work with children under section 3 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 or has been disqualified from working with children under Part 2 of that Order.

(14) 2001 asp 8.