



Children and Young Persons Act 1969

1969 CHAPTER 54

PART II

ACCOMMODATION ETC. FOR CHILDREN IN CARE, AND FOSTER CHILDREN

Community homes

~~35—~~^{F1}
45.

Textual Amendments

F1 Ss. 35–45, 47–50 repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)

46 Discontinuance of approved schools etc. on establishment of community homes.

(1) If in the case of any approved school, [^{F2}or remand home within the meaning of the ^{M1}Criminal Justice Act 1948 or approved probation hostel ^{F3}. . . (hereafter in this section referred to as an “approved institution”) it appears to the Secretary of State that in consequence of the establishment of community homes for a planning area the institution as such is no longer required, he may by order provide that it shall cease to be an approved institution on a date specified in the order.

(2) The provisions of Schedule 3 to this Act shall have effect in relation to institutions which are, or by virtue of this section have ceased to be, approved institutions.]

Textual Amendments

F2 Words substituted by [Powers of Criminal Courts Act 1973 \(c. 62, SIF 39:1\)](#), [Sch. 5 para. 36](#)

F3 Words in s. 46(1) repealed (1.4.2001) by [2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 41](#), [Sch. 8: S.I. 2001/919, art. 2\(f\)\(ii\)\(g\)](#)

Status: Point in time view as at 01/01/2004.

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Part II. (See end of Document for details)

Modifications etc. (not altering text)

C1 S. 46 amended by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), [Sch. 2 para. 17](#)

Marginal Citations

M1 [1948 c. 58\(39:1\)](#).

47— **F4**
50.

Textual Amendments

F4 [Ss. 35–45, 47–50](#) repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)

51 **F5**

Textual Amendments

F5 [Ss. 51, 52\(1\)–\(3\)](#) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

52 (1) **F6**

^{X1}(4) Section 37 of the ^{M2} Adoption Act 1958 (which defines “ protected child” for the purposes of Part IV of that Act) shall have effect subject to the following modifications:—

- (a) in paragraph (a) of subsection (1) (which refers to arrangements for placing a child in the care of a person who is not a parent, guardian or relative of his) after the words “ relative of his” there shall be inserted the words “ but who proposes to adopt him” ;
- (b) in subsection (1) (which among other matters excludes a foster child from the definition of “ a protected child”) the words “ but is not a foster child within the meaning of Part I of the Children Act 1958” shall be omitted ; and
- (c) in subsection (2) (which excludes certain children from the definition of protected child, including children only temporarily in the care and possession of a person under such arrangements as are referred to in subsection (1)(a) of that section) the words from “ by reason” to “ that subsection, nor” shall be omitted.

(5) **F7**

Editorial Information

X1 The text of s. 52(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F6 [Ss. 51, 52\(1\)–\(3\)](#) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

Status: Point in time view as at 01/01/2004.

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F7 Ss. 52(5), 53–55 repealed by Foster Children Act 1980 (c. 6, SIF 20), **Sch. 3**

Marginal Citations

M2 1958 c. 5. (7 & 8 Eliz. 2.)

53— **F8**
55.

Textual Amendments

F8 Ss. 52(5), 53–55 repealed by Foster Children Act 1980 (c. 6, SIF 20), **Sch. 3**

56, 57. **F9**

Textual Amendments

F9 Ss. 56, 57 repealed by (E.W.) Foster Children Act 1980 (c. 6, SIF 20), **Sch. 3** and (S.) Foster Children (Scotland) Act 1984 (c. 56, SIF 20), **Sch. 3**
Words "49 and the said sections" in s. 57(4) expressed to be repealed (3.2.1995) by 1994 c. 33, s. 168(3), **Sch.11**; S.I. 1995/127, art. 2(1), **Sch.1** Appendix C

58, 59. **F10**

Textual Amendments

F10 Ss. 58, 59 repealed by Child Care Act 1980 (c. 5, SIF 20), s. 89, **Sch. 6**

Status:

Point in time view as at 01/01/2004.

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons Act 1969, Part II.