



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F1 Ss. 35–45, 47–50 repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)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F3 Words in s. 46(1) repealed (1.4.2001) by [2000 c. 43, ss. 74, 75, Sch. 7 Pt.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\(f\)\(ii\)\(g\)](#)

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Cross Heading: Community homes. (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F4 [Ss. 35–45, 47–50](#) repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)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F5 [Ss. 51, 52\(1\)–\(3\)](#) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)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](#)

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

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**

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons Act 1969,
Cross Heading: Community homes.