



# Local Authority Social Services Act 1970

## 1970 CHAPTER 42

An Act to make further provision with respect to the organisation, management and administration of local authority social services; to amend the Health Visiting and Social Work (Training) Act 1962; and for connected purposes. [29th May 1970]

### Modifications etc. (not altering text)

- C1 Act: transfer of functions (1.7.1999) by [S.I. 1999/672, art. 2, Sch. 1](#)
- C2 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

### Commencement Information

- I1 Act not in force at Royal Assent see [s. 15\(4\)](#); Act wholly in force at 26.5.1971

## 1 Local authorities.

The local authorities for the purposes of this Act shall be the councils of [<sup>F1</sup>non-metropolitan counties, metropolitan districts] and London boroughs and the Common Council of the City of London [<sup>F2</sup>but, in relation to Wales, shall be the councils of counties and county boroughs].

### Textual Amendments

- F1 Words substituted by [Local Government Act 1972 \(c. 70\), s. 195\(1\)](#)
- F2 Words in s. 1 added (1.4.1996) by [1994 c. 19, s. 22\(4\), Sch. 10 para. 7](#) (with [ss. 54\(5\)\(7\), 55\(5\)](#)); [S.I. 1996/396, art. 3](#)

### Modifications etc. (not altering text)

- C3 S. 1 amended by [Local Government Act 1972 \(c. 70\), s. 195\(3\)](#)

### [<sup>F3</sup>1A Meaning of “social services functions”.

For the purposes of this Act the social services functions of a local authority are—

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- (a) their functions under the enactments specified in the first column of Schedule 1 to this Act (being the functions which are described in general terms in the second column of that Schedule), and
- (b) such other of their functions as the Secretary of State may designate by an order made under this section.]

**Textual Amendments**

**F3** S. 1A inserted (E.) (26.10.2000) and (W.) (28.7.2001) by 2000 c. 22, ss. **102(3)**, 108(4)-(7); S.I. 2000/2849, art. **2(a)**

**2 Local authority to establish social services committee.**

**F4** .....

**Textual Amendments**

**F4** S. 2 repealed (1.4.2005 for E. and 1.4. 2006 for W.) by Children Act 2004 (c. 31), ss. 55(1), 64, 67(7) (e), {Sch. 5 Pt. 4 Note}; S.I. 2005/394, art. **2(2)(f)(g)**; S.I. 2006/885, art. **2(2)(f)(h)**

**Modifications etc. (not altering text)**

**C4** S. 2 saved by Local Government Act 1972 (c. 70), s. **101(8)(9)**; amended by Guardianship Act 1973 (c. 29), s. **2(8)**

**[<sup>F5</sup>3 Business of Social Services Committee.**

**F6** .....

**Textual Amendments**

**F5** S. 3 substituted by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1), s. **183(1)**

**F6** S. 3 repealed (1.4.2005 for E. and 1.4.2006 for W.) by Children Act 2004 (c. 31), ss. 55(1), 64, 67(7) (e), {Sch. 5 Pt. 4 Note}; S.I. 2005/394, art. **2(2)(f)(g)**; S.I. 2006/885, art. **2(2)(f)(h)**

**[<sup>F7</sup>3A Power of local authority to refer or delegate to social services committee.**

**F8** .....

**Textual Amendments**

**F7** S. 3A inserted by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1), s. **183(2)**

**F8** S. 3A repealed (1.4.2005 for E. and 1.4.2006 for W.) by Children Act 2004 (c. 31), ss. 55(1), 64, 67(7) (e), {Sch. 5 Pt. 4 Note}; S.I. 2005/ 394, {art. 2(2)(f)(g)}; S.I. 2006/885, art. **2(2)(f)(h)**

**<sup>F9</sup>4 Joint committees and sub-committees.**

.....

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**Textual Amendments**

- F9** S. 4 repealed (1.4.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), ss. 55(1), 64, 67(7) (e), {Sch. 5 Pt. 4 Note}; [S.I. 2005/394](#), [art. 2\(2\)\(f\)\(g\)](#); [S.I. 2006/885](#), [art. 2\(2\)\(f\)\(h\)](#)

**F10 5 Membership of committees and sub-committees.**

.....

**Textual Amendments**

- F10** S. 5 repealed (1.4.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), ss. 55(1), 64, 67(7) (e), {Sch. 5 Pt. 4 Note}; [S.I. 2005/394](#), [art. 2\(2\)\(f\)\(g\)](#); [S.I. 2006/885](#), [art. 2\(2\)\(f\)\(h\)](#)

**6 The director of social services.**

[<sup>F11</sup>(A1) A local authority in England shall appoint an officer, to be known as the director of adult social services, for the purposes of their social services functions, other than those for which the authority’s director of children’s services is responsible under section 18 of the Children Act 2004.]

- (1) A local authority [<sup>F12</sup>in Wales] shall appoint an officer, to be known as the director of social services, for the purposes of their social services functions.
- (2) Two or more local authorities may, if they consider that the same person can efficiently discharge, for both or all of them, the functions of director of [<sup>F13</sup>adult social services or (as the case may be)] social services, concur in the appointment of a person as director of [<sup>F13</sup>adult social services or (as the case may be)] social services for both or all of those authorities.

<sup>F14</sup>(3) .....

<sup>F15</sup>(5) .....

- (6) A local authority which have appointed, or concurred in the appointment of, [<sup>F16</sup>a person under this section], shall secure the provision of adequate staff for assisting him in the exercise of his functions.

<sup>F17</sup>(7) .....

<sup>F18</sup>(8) .....

**Textual Amendments**

- F11** S. 6(A1) inserted (1.1.2008 with effect in accordance with s. 18(9)(10) of the amending Act) by [Children Act 2004 \(c. 31\)](#), s. 67(2), [Sch. 2 para. 2\(2\)\(a\)](#); [S.I. 2007/1792](#), [art. 2](#)
- F12** Words in s. 6(1) inserted (1.1.2008 with effect in accordance with s. 18(9)(10) of the amending Act) by [Children Act 2004 \(c. 31\)](#), s. 67(2), [Sch. 2 para. 2\(2\)\(b\)](#); [S.I. 2007/1792](#), [art. 2](#)
- F13** Words in s. 6(2) inserted (1.1.2008 with effect in accordance with s. 18(9)(10) of the amending Act) by [Children Act 2004 \(c. 31\)](#), s. 67(2), [Sch. 2 para. 2\(2\)\(c\)](#); [S.I. 2007/1792](#), [art. 2](#)
- F14** S. 6(3)(4) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. XVI](#)

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- F15** S. 6(5) repealed (E.) (26.10.2000) (W.) and (28.7.2001) by 2000 c. 22, ss. 102(2), 107, 108(4)-(7), **Sch. 6**; S.I. 2000/2849, **art. 2(g)(iii)**
- F16** Words in s. 6(6) substituted (1.1.2008 with effect in accordance with s. 18(9)(10) of the amending Act) by **Children Act 2004 (c. 31)**, s. 67(2), **Sch. 2 para. 2(2)(d)**; S.I. 2007/1792, **art. 2**
- F17** Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2-4, 7, 9 repealed by **Local Government Act 1972 (c. 70)**, **Sch. 30**
- F18** S. 6(8) repealed (22.7.2004) by **Statute Law Repeals Act 2004 (c. 14)**, **s. 1(1)**, {Sch. 1 Pt. 10 Group 3}

**Modifications etc. (not altering text)**

- C5** S. 6 saved by **Local Government Act 1972 (c. 70)**, **s. 112(3)(4)**

**7 Local authorities to exercise social services functions under guidance of Secretary of State.**

- (1) Local authorities shall, in the exercise of their social services functions, including the exercise of any discretion conferred by any relevant enactment, act under the general guidance of the Secretary of State.
- (2) . . . . . <sup>F19</sup>]]

**Textual Amendments**

- F5** S. 3 substituted by **Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1)**, **s. 183(1)**
- F7** S. 3A inserted by **Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1)**, **s. 183(2)**
- F19** Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2-4, 7, 9 repealed by **Local Government Act 1972 (c. 70)**, **Sch. 30**

**Modifications etc. (not altering text)**

- C6** S. 7 applied (19.12.2001 for E. otherwise 1.3.2007) by 2001 c. 15, **ss. 45(10)(a)**, 70(2) (with ss. 64(9), 65(4)); S.I. 2001/4149, **art. 2**; S.I. 2006/1407, **art. 2**, {Sch. 1Pt. 2 para. 8(a)}
- C7** S. 7 applied (1.3.2007) by **National Health Service Act 2006 (c. 41)**, **ss. 77(11)(a)**, 277  
S. 7 applied (1.3.2007) by **National Health Service (Wales) 2006 (c. 42)**, **ss. 35(11)(a)**, 208 (with s. 19(3))

**[<sup>F20</sup>7A Directions by the Secretary of State as to exercise of social services functions.**

- (1) Without prejudice to section 7 of this Act, every local authority shall exercise their social services functions in accordance with such directions as may be given to them under this section by the Secretary of State.
- (2) Directions under this section—
- (a) shall be given in writing; and
  - (b) may be given to a particular authority, or to authorities of a particular class, or to authorities generally.

**Textual Amendments**

- F20** Ss. 7A-7E inserted by **National Health Service and Community Care Act 1990 (c. 19, SIF 113:2)**, **s. 50**

**Modifications etc. (not altering text)**

- C8** S. 7A applied (19.12.2001 for E. otherwise 1.3.2007) by 2001 c. 15, **ss. 45(10)(b)**, 70(2) (with ss. 64(9), 65(4)); S.I. 2001/4149, **art. 2**; S.I. 2006/1407, **art. 2**, **Sch. 1 Pt. 2 para. 8(a)**
- C9** S. 7A applied (1.3.2006) by **National Health Service Act 2006 (c. 41)**, **ss. 77(11)(b)**, 277

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S. 7A applied (1.3.2006) by [National Health Service \(Wales\) Act 2006 \(c. 42\), ss. 35\(11\)\(b\), 208](#) (with s. 19(3))

## **F21 7B Complaints procedure**

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### **Textual Amendments**

**F21** S. 7B repealed (1.9.2006 for E. and otherwise prosp.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), ss. 196, 199\(1\), {Sch.14 Pt. 2 } ; S.I. 2006/1680, art. 3\(d\)](#)

## **7C Inquiries**

- (1) The Secretary of State may cause an inquiry to be held in any case where, whether on representations made to him or otherwise, he considers it advisable to do so in connection with the exercise by any local authority of any of their social services functions (except in so far as those functions relate to persons under the age of eighteen).
- (2) Subsections (2) to (5) of section 250 of the <sup>M1</sup>Local Government Act 1972 (powers in relation to local inquiries) shall apply in relation to an inquiry under this section as they apply in relation to an inquiry under that section.

### **Textual Amendments**

**F20** Ss. 7A–7E inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\), s. 50](#)

### **Marginal Citations**

**M1** [1972 c.70 \(81:1\)](#).

## **7D Default powers of Secretary of State as respects social services functions of local authorities.**

- (1) If the Secretary of State is satisfied that any local authority have failed, without reasonable excuse to comply with any of their duties which are social services functions (other than a duty imposed by or under the Children Act <sup>M2</sup>1989 [<sup>F22</sup>section 1 or 2(4) of the Adoption (Intercountry Aspects) Act 1999 or the Adoption and Children Act 2002]), he may make an order declaring that authority to be in default with respect to the duty in question.
- (2) An order under subsection (1) may contain such directions for the purpose of ensuring that the duty is complied with within such period as may be specified in the order as appear to the Secretary of State to be necessary.
- (3) Any such direction shall, on the application of the Secretary of State, be enforceable by mandamus.

### **Textual Amendments**

**F20** Ss. 7A–7E inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\), s. 50](#)

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**F22** Words in s. 7D inserted (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), ss. 139, 148, **Sch. 3 para. 13** (with [Sch. 4 paras. 6-8](#)); [S.I. 2005/2213](#), **art. 3(1)**; [S.I. 2005/3112](#), **art. 2(g)**

**Marginal Citations**

**M2** [1989 c.41 \(20\)](#).

**7E Grants to local authorities in respect of social services for the mentally ill.**

The Secretary of State may, with the approval of the Treasury, make grants out of money provided by Parliament towards any expenses of local authorities incurred in connection with the exercise of their social services functions in relation to persons suffering from mental illness.]

**Textual Amendments**

**F20** Ss. 7A–7E inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), **s. 50**

**F23**<sup>8</sup> .....

**Textual Amendments**

**F23** Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**9 Protection of interests, etc. of local authority staffs.**

- (1) The Secretary of State shall by order make provision for the protection of the interests of any existing staff affected by the provisions of section 2 or 6 of this Act, and that order may contain provisions applying, amending or repealing any provision made by or under any enactment and relating to the conditions of service of, or the payment of superannuation or other benefits to or in respect of, existing staff.
- (2) Regulations under section 60(2) of the <sup>M3</sup>Local Government Act 1958 (provision to be made by regulations for the payment of compensation in certain cases) may make provision in relation to persons who suffer loss of employment or loss or diminution of emoluments which is attributable to the provisions of section 2 or 6 of this Act.
- (3) Regulations made by virtue of subsection (2) above may be so framed as to have effect from a date earlier than that on which they are made, so however that so much of any regulations as provides that any provision thereof is to have effect from a date earlier than that on which they are made shall not place any person (other than the person required by the regulations to pay compensation) in a worse position than he would have been in if the regulations had been so framed as to have effect only as from the date on which they are made.
- (4) In this section “existing staff” means—
  - (a) persons who both immediately before and immediately after the coming into force in the area of a local authority of section 2 or 6 of this Act are employed by the authority in connection with the discharge by the authority of any function which immediately after the coming into force in that area of the

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said section 2 or 6, as the case may be, is a social services function of the authority; and

- (b) persons who both immediately before and immediately after the coming into force in the area of a local authority of—
  - (i) an order under section 2(2) of this Act, or
  - (ii) a direction under section 2(4) thereof, not being a direction which comes into force in that area on the same date as that on which that section comes into force therein,

are employed by the authority in connection with the discharge by the authority of any function to which the order or direction, as the case may be, relates.

**Marginal Citations**

**M3** 1958 c. 55.

**F24** **10** .....

**Textual Amendments**

**F24** Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**F25** **11** .....

**Textual Amendments**

**F25** S. 11 repealed by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41\)](#), SIF 113:3, s. 30, **Sch. 10 Pt. I**

**12 Isles of Scilly.**

- (1) The Secretary of State may by order direct that this Act shall have effect as if the Council of the Isles of Scilly were a local authority for the purposes of this Act.
- (2) In its application to the Isles of Scilly by virtue of an order made under this section, this Act shall have effect with such modifications as may be specified in the order.

**13 Orders and regulations.**

- (1) Orders . . . <sup>F26</sup> of the Secretary of State under this Act shall be made by statutory instrument.
- (2) Any order made under any provision of this Act, except an order under section 14(3), may be varied or revoked by a subsequent order so made.
- (3) In the case of a statutory instrument containing an order under section [<sup>F27</sup>1A] or 14(3) of this Act . . . <sup>F26</sup>, a draft of the instrument shall be laid before Parliament, and an instrument containing an order under the said section [<sup>F27</sup>1A] shall not be made unless the draft has been approved by a resolution of each House of Parliament.

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- (4) A statutory instrument containing an order under section 9(1) or 12 of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Any order . . . <sup>F26</sup>under this Act may be made so as to apply to England only or to Wales only.

For the purposes of this subsection, Monmouthshire shall be deemed to be part of Wales and not of England.

**Textual Amendments**

**F26** Words repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. XVI](#)

**F27** Words in s. 13(3) substituted (E.) (26.10.2000) and (W.) (28.7.2001) by [2000 c. 22, ss. 107, 108\(4\)-\(7\)](#), [Sch. 5 para. 5](#); [S.I. 2000/2849, art. 2](#)

**14 Minor and consequential amendments, repeals and saving for certain schemes.**

- (1) The enactments specified in Schedule to this Act shall have effect subject to the ammendments specified in relation thereto in that Schedule, being minor ammendments and ammendments consequential on the provisions of this Act.
- <sup>XI</sup>(2) The enactments specified in Schedule 3 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.
- (3) The Secretary of State may by order repeal or amend any provision in any local Act, including an Act confirming a provisional order, or in an instrument in the nature of a local enactment under any Act, where it appears to him that that provision is inconsistent with, or has become unnecessary or requires modification in consequence of, any provision of this Act or corresponds to any provision repealed by this Act.

<sup>F28</sup>(4) . . . . .

**Editorial Information**

**X1** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 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**

**F28** S. 14(4) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [s. 1\(1\)](#), {Sch. 1 Pt. 10 Group 3}

**15 Citation, interpretation, commencement and extent.**

- (1) This Act may be cited as the Local Authority Social Services Act 1970.
- (2) In this Act “functions” includes powers and duties and “social services functions” has the meaning given by section [<sup>F29</sup>1A] . . . <sup>F30</sup>of this Act. Any reference in this Act to an enactment shall be construed as including a reference to that enactment as amended, applied or extended by or under any other enactment, including this Act.



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- (3) Any reference in this Act to an enactment shall be construed as including a reference to that enactment as amended, applied or extended by or under any other enactment, including this Act.
- (4) <sup>F31</sup> .....
- (5) <sup>F32</sup> .....
- (6) This Act, . . . <sup>F33</sup>, shall not extend to Scotland.
- (7) This Act, except . . . <sup>F33</sup>this subsection, shall not extend to Northern Ireland; . . . <sup>F34</sup>

#### Textual Amendments

- F29** Words in s. 15(2) substituted (E.) (26.10.2000) and (W.) (28.7.2001) by 2000 c. 22, ss. 107, 108(4)-(7), **Sch. 5 para. 6**; S.I. 2000/2849, **art. 2(a)**
- F30** Word “(3)” repealed by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1, 2), s. 194, **Sch. 34 Pt. XVI**
- F31** S. 15(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 10 Group 3}
- F32** S. 15(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 10 Group 3}
- F33** Words repealed by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 30, **Sch. 10 Pt. I**
- F34** Words repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. I**

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## SCHEDULES

### <sup>F35</sup> SCHEDULE 1

Section 2.

#### [<sup>F36</sup>SOCIAL SERVICES FUNCTIONS]

##### Subordinate Legislation Made

**P1** Sch. 1: power to amend conferred (15.1.2004) by [Children Act 2004 \(c. 31\)](#), **ss. 45(14)(b)**, 46, 47

##### Textual Amendments

**F35** Words in Sch. 1 inserted (8.5.2012 for specified purposes, 6.6.2012 for further purposes otherwise 1.10.2012) by [Mental Health \(Wales\) Measure 2010 \(nawm 7\)](#), **ss. 43(2)**, 55(3); S.I. 2011/3046, art. 4(f) (with art. 5); S.I. 2012/1397, art. 2(v); S.I. 2012/2411, art. 2(k)

**F36** Sch. 1 heading substituted (1.4.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), **ss. 55(2)**, 67(7)(e); S.I. 2005/394, **art. 2(2)(f)**; S.I. 2006/885, **art. 2(f)**

##### Modifications etc. (not altering text)

**C10** Sch. 1 modified (1.8.2011) by [The Contracting Out \(Local Authorities Social Services Functions\) \(England\) Order 2011 \(S.I. 2011/1568\)](#), arts. 1(1), 5

**C11** Sch. 1 modified (1.4.2014) by [The Contracting Out \(Local Authorities Social Services Functions\) \(England\) Order 2014 \(S.I. 2014/829\)](#), arts. 1(1), 4

##### Enactment

##### Nature of functions

Children and Young Persons Act 1933 (c. 12)

Part III

Protection of the young in relation to criminal and summary proceedings; children appearing before court as in need of care, protection or control; committal of children to approved school or care of fit person, etc.

Part IV

Remand homes, approved schools and children in care of fit persons.

<sup>F37</sup>

...

<sup>F37</sup>

<sup>F37</sup>

...

...

National Assistance Act 1948 (c. 29)

Sections 21 to 27

Provision of residential accommodation for the aged, infirm, needy, etc.

Sections 29 and 30

Welfare of persons who are blind, deaf, dumb or otherwise handicapped or are suffering from mental disorder; use of voluntary

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	organisations for administration of welfare schemes.
F38	F38
...	...
[ <sup>F39</sup> Section ] 45	Recovery of costs of providing certain services.
Section 48	Temporary protection of property belonging to persons in hospital or accommodation provided under Part III of the Act, etc.
Section 49	Defraying expenses of local authority officer applying for appointment as [ <sup>F40</sup> deputy] for certain patients.
F41	F41
...	...
Section 56(3) except so far as it relates to an offence under section 47(11).	Prosecution of offences.
F42	F42
...	...
F43	F43
...	...
F44	F44
...	...
Disabled Persons (Employment) Act 1958 (c. 33)	
Section 3	Provision of facilities for enabling disabled persons to be employed or work under special conditions.
F45	F45
...	...
F46	F46
...	...
Mental Health Act 1959 (c. 72)	
[ <sup>F47</sup> section 8]. . . .	[ <sup>F48</sup> Welfare and accommodation of mentally disordered persons]
F49	
...	
F50	
...	
F50	
...	
[ <sup>F51</sup> Mental Health (Scotland) Act 1984]	

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Section 10	Welfare of certain persons while in hospital in Scotland.
Health Visiting and Social Work (Training) Act 1962 (c. 33)	
Section 5(1)(b), and as extended by section 45(9) of the Health Services and Public Health Act 1968 (c. 46).	Research into matters relating to local authority welfare services.
Children and Young Persons Act 1963 (c. 37)	
Part I	F52 F52 . . . powers relating to young persons in need of care, protection or control; further provisions for protection of the young in relation to criminal proceedings; . . . .
F53	F53
. . .	. . .
F54	F54
. . .	. . .
F55	F55
. . .	. . .
Health Services and Public Health Act 1968 (c. 46)	
F56	F56
. . .	. . .
F56	F56
. . .	. . .
Section 45	Promotion of welfare of old people.
Social Work (Scotland) Act 1968 (c. 49)	
Sections 75(2) and 76(4)	Reference for consideration, etc. of case of child in care whose parent moves to Scotland and transfer of child.
F57	F57
. . .	. . .
F57	F57
. . .	. . .
Children and Young Persons Act 1969 (c. 54)	
F58	F59
F58	F60
F58	
The whole Act .....	

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Care and other treatment of children and young persons through court proceedings; . . . . .

Chronically Sick and Disabled Persons Act 1970 (c. 44)

- Section 1 Obtaining information as to need for, and publishing information as to existence of, certain welfare services.
- Section 2 Provision of certain welfare services.
- Section 18 Provision of certain information required by Secretary of State.

[<sup>F61</sup>Sections 6 and 7B of this Act] [<sup>F61</sup> Appointment of [<sup>F62</sup> director of adult social services or ] director of social services, etc ; provision and conduct of complaints procedure. ]

[<sup>F63</sup> . . . ] [<sup>F63</sup> . . . ]

[<sup>F64</sup>Children Act 1975 (c.72)]

F65 F65  
. . . . .

[<sup>F64</sup>Part II] [<sup>F64</sup>Application by local authority for revocation of custodianship order; inquiries carried out by local authority in custodianship cases.]

[<sup>F66</sup>Adoption Act 1976] Functions continuing to be exercisable by virtue of any transitional or saving provision made by or under the Adoption and Children Act 2002.]

F67 F67  
.....

[<sup>F68</sup>Supplementary Benefits Act 1976, Schedule 5] [<sup>F68</sup>Provision and maintenance of [<sup>F69</sup>resettlement units]for persons without a settled way of living.]

F70 F70  
. . . . .

[<sup>F71</sup>National Health Service Act 1977, Schedule 8] [<sup>F71</sup>Care of mothers and young children, prevention, care and after-care: home help and laundry facilities.]

[<sup>F72</sup> . . . ] [<sup>F72</sup> . . . ]

[<sup>F73</sup> . . . ] [<sup>F73</sup> . . . ]

[<sup>F74</sup> . . . ] [<sup>F74</sup> . . . ]

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F75	F75
...	...
F76	F76
...	...
[ <sup>F77</sup> Mental Health Act 1983 (c. 20)]	
[ <sup>F77</sup> Parts II, III and VI]	[ <sup>F77</sup> Welfare of the mentally disordered; guardianship of persons suffering from mental disorder including such persons removed to England and Wales from Scotland or Northern Ireland; exercise of functions of nearest relative of person so suffering.]
[ <sup>F77</sup> Sections 66, 67, 69(1)]	[ <sup>F77</sup> Exercise of functions of nearest relative in relation to applications and references to [ <sup>F78</sup> the First-tier Tribunal or the Mental Health Review Tribunal for Wales] .]
[ <sup>F77</sup> Section 114]	[ <sup>F77</sup> Appointment of [ <sup>F79</sup> approved mental health professionals] .]
[ <sup>F77</sup> Section 115]	[ <sup>F77</sup> Entry and inspection.]
[ <sup>F77</sup> Section 116]	[ <sup>F77</sup> Welfare of certain hospital patients.]
[ <sup>F77</sup> Section 117]	[ <sup>F77</sup> After-care of detained patients.]
[ <sup>F77</sup> Section 130]	[ <sup>F77</sup> Prosecutions.]
[ <sup>F80</sup> Section 130A]	Making arrangements to enable independent mental health advocates to be available to help qualifying patients]
[ <sup>F81</sup> Health and Social Services and Social Security Adjudications Act 1983 (c. 41) Section 17, so far as relating to services provided under the enactments mentioned in subsection (2)(a) to (c)]	[ <sup>F81</sup> Charges for local authority welfare services]
[ <sup>F82</sup> Public Health (Control of Disease) Act 1984 (c. 22)]	
[ <sup>F82</sup> Section 46(2) and (5)]	[ <sup>F82</sup> Burial or cremation of person dying in accommodation provided under Part III of the National Assistance Act 1948, and recovery of expenses from his estate.]
F83	F83
...	...
[ <sup>F84</sup> Housing Act 1996 Section 213(1)(b)]	Co-operation in relation to homeless persons and persons threatened with homelessness.]
[ <sup>F85</sup> Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)]	

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[<sup>F86</sup>Sections 1 to 4, 5(5), 7 and 8].

[<sup>F87</sup>Housing (Scotland) Act 1987 (c. 26)  
section 38(b)]

[<sup>F88</sup>Children Act 1989, The whole  
Act [<sup>F89</sup>except section 36 and paragraphs 12  
to 19(1) of Schedule 3 (education supervision  
orders)], in so far as it confers functions on  
a local authority within the meaning of that  
Act.]

[<sup>F85</sup>Representation and assessment of  
disabled persons.]

[<sup>F87</sup>Co-operation in relation to homeless  
persons and persons threatened with  
homelessness.]

[<sup>F88</sup>Welfare reports.]

[<sup>F88</sup>Consent to application for residence order  
in respect of child in care.]

[<sup>F90</sup>Functions relating to special guardianship  
orders]

[<sup>F88</sup>Family assistance orders.]

[<sup>F88</sup>Functions under Part III of the Act (local  
authority support for children and families).]

[<sup>F88</sup>Care and supervision.]

[<sup>F88</sup>Protection of children.]

[<sup>F88</sup>Functions in relation to community  
homes, voluntary homes and voluntary  
organisations, [<sup>F91</sup>private] children's homes,  
private arrangements for fostering children,  
child minding and day care for young  
children.]

[<sup>F88</sup>Inspection of children's homes on behalf  
of Secretary of State.]

[<sup>F88</sup>Research and returns of information.]

[<sup>F88</sup>Functions in relation to children  
accommodated [<sup>F92</sup>pursuant to arrangements  
made by the Secretary of State, the National  
Health Service Commissioning Board or  
a clinical commissioning group under the  
National Health Service Act 2006 or] by  
[<sup>F93</sup>Local Health Boards][<sup>F94</sup>,  
<sup>F95</sup>

...][<sup>F96</sup>National Health Service trusts][<sup>F97</sup>and  
local authorities in the exercise of education  
functions] or in [<sup>F91</sup>care homes, independent  
hospitals or schools].]

[<sup>F98</sup>National Health Service and Community Care Act 1990 (c. 19)]

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[ <sup>F98</sup> Section 46 ]	[ <sup>F98</sup> Preparation of plans for community care services.]
[ <sup>F98</sup> Section 47]	[ <sup>F98</sup> Assessment of needs for community care services.]
F99	F99
. . .	. . .
F100	
[Section 166.]	
[ <sup>F101</sup> Carers (Recognition and Services) Act 1995 (c.12)]	
[ <sup>F101</sup> Section 1	Assessment of ability of carers to provide care.]
[ <sup>F102</sup> Education Act 1996.]	
[ <sup>F102</sup> Section 322.....]	[ <sup>F102</sup> Help for [ <sup>F103</sup> another local authority] in exercising functions under Part IV of the Act.]
[ <sup>F104</sup> Community Care (Direct Payments) Act 1996.]	Functions in connection with the making of payments to persons in respect of their securing the provision of community care services[ <sup>F105</sup> or services under the Carers and Disabled Children Act 2000].
[ <sup>F106</sup> Adoption (Intercountry Aspects) Act 1999 (c.18)	Functions under [ <sup>F108</sup> regulations made under section 1 giving effect to] the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, concluded at the Hague on 29th May 1993 [ <sup>F109</sup> and functions under Article 9(a) to (c) of the Convention] .]
[ <sup>F107</sup> Sections 1 and] 2(4)	
[ <sup>F110</sup> Carers and Disabled Children Act 2000 (c. 16) The whole Act, in so far as it confers functions on a local authority within the meaning of that Act.]	[ <sup>F110</sup> Assessment of carers' needs. Provision of services to carers. Provision of vouchers.]
[ <sup>F111</sup> Health and Social Care Act 2001	
Part 4 in so far as it confers functions on a local authority in England or Wales within the meaning of that Part.	Functions in relation to the provision of residential accommodation.
	Making of direct payments to person in respect of his securing provision of community care services or services to carers.]
[ <sup>F112</sup> Adoption and Children Act 2002	Maintenance of Adoption Service; functions of local authority as adoption agency.]



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[<sup>F113</sup> Community Care (Delayed Discharges  
etc. ) Act 2003

Part 1.....

Functions relating to hospital patients likely  
to need community care services to be made  
available in order to be discharged safely.]

[<sup>F114</sup> Carers (Equal Opportunities) Act 2004

Section 3, in so far as it confers functions on  
a local authority within the meaning of that  
section.

Co-operation between authorities]

[<sup>F115</sup> Children Act 2004

Sections [<sup>F116</sup> 9A,] 13 to 16 and 31 to 34

Functions relating to [<sup>F117</sup> targets for  
safeguarding and promoting the welfare  
of children, and to] Local Safeguarding  
Children Boards.]

[<sup>F118</sup> Mental Capacity Act 2005

Section 39

Instructing independent mental capacity  
advocate before providing accommodation  
for person lacking capacity

[<sup>F119</sup> Section 39A

Instructing independent mental capacity  
advocate when giving an urgent  
authorisation, or making a request for a  
standard authorisation, under Schedule A1 to  
the Act.

Section 39C

Instructing independent mental capacity  
advocate when no representative for relevant  
person under Part 10 of Schedule A1 to the  
Act.

Section 39D

Instructing independent mental capacity  
advocate when representative for relevant  
person under Part 10 of Schedule A1 to the  
Act is not being paid.]

Section 49

Reports in proceedings]

[<sup>F119</sup> Schedule A1

Any functions.]

[<sup>F120</sup> Children and Young Persons Act 2008

Part 1, in so far as it confers functions on a  
local authority in England or Wales within  
the meaning of that Part.....

Making arrangements for the discharge of  
relevant care functions in relation to certain  
children and young persons.]

[<sup>F121</sup> Social Care Charges (Wales) Measure  
2010

Sections 1, 2 and 4 to 12

Charges for local authority]

[<sup>F122</sup> Carers Strategies (Wales) Measure 2010

Preparation and implementation of carers  
strategies]

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[ <sup>F35</sup> Mental Health (Wales) Measure 2010 Parts 1 to 3	Local primary mental health support services, coordination of and care planning for secondary mental health service users, assessments of former users of secondary mental health services.]
[ <sup>F123</sup> Legal Aid, Sentencing and Punishment of Offenders Act 2012 Section 92	Functions in relation to a child remanded to local authority accommodation.]

### Textual Amendments

- F37** Entry relating to National Health Service Act 1977 substituted in the appropriate chronological order for entry relating to National Health Service Act 1946 by [National Health Service Act 1977 \(c. 49, SIF 113:2\)](#), [Sch. 15 para. 51](#)
- F38** Sch. 1: entry repealed (1.9.1992) by [Charities Act 1992 \(c. 41\)](#), s. 78(2), [Sch. 7](#); S.I. 1992/1900, art. 2, [Sch. 1](#), Appendix.
- F39** Word in Sch. 1 substituted (6.4.2009 except in relation to local authorities in W., otherwise 6.4.2009 for W.) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 147\(5\)](#), 170(3), 170(4) (with [Sch. 13](#)); S.I. 2009/462, art. 4(a); S.I. 2009/631, art. 2(a)
- F40** Sch. 1: word in entry substituted (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), [ss. 67\(1\)](#), 68(1), [Sch. 6 para. 16\(2\)](#); S.I. 2007/1897, [art. 2](#)
- F41** Words repealed by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, [Sch. 3](#)
- F42** Entry repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)
- F43** Entry repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, [Sch. 6](#)
- F44** Sch. 1: entry repealed (5.11.1993) by 1993 c. 50, s. 1(1), [Sch. 1 Pt. VIII](#)
- F45** Entry repealed by [Foster Children Act 1980 \(c. 6\)](#), s. 23(3), [Sch. 3](#)
- F46** Entry repealed by [Adoption Act 1976 \(c. 36, SIF 49:11\)](#), s. 74(2), [Schs. 2, 4](#)
- F47** Words in Schedule 1 in entry relating to the Mental Health Act 1959 substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5), [Sch. 13 para. 26\(1\)\(a\)](#); S.I. 1991/828, [art. 3\(2\)](#)
- F48** Entry substituted by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148, [Sch. 4 para. 27\(a\)](#)
- F49** Words repealed by [Education \(Handicapped Children\) Act 1970 \(c. 52\)](#), [Sch.](#) and [National Health Service Reorganisation Act 1973 \(c. 32\)](#), s. 57, [Sch. 5](#)
- F50** Entry repealed by [Domestic Proceedings and Magistrates' Courts Act 1978 \(c. 22, SIF 49:3\)](#), [Sch. 2 para. 27](#), [Sch. 3](#) (subject to savings in [Sch. 1](#))
- F51** Words substituted by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), s. 127, [Sch. 3 para. 18](#)
- F52** Words repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, [Sch. 6](#)
- F53** Entry repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, [Sch. 6](#)
- F54** Words repealed by [Matrimonial Causes Act 1973 \(c. 18\)](#), [Sch. 2 para. 11](#), [Sch. 3](#)
- F55** Entry repealed by [Supplementary Benefits Act 1976 \(c. 71, SIF 113:1\)](#), s. 35(2)(3), [Sch. 7 para. 18](#), [Sch. 8 Pt. 1](#)
- F56** Words repealed by [National Health Service Act 1977 \(c. 49, SIF 113:2\)](#), s. 129, [Sch. 16](#)
- F57** Sch. 1: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c.14\)](#), [s. 1\(1\)](#), {[Sch. 1Pt. 10 Group 3](#)}
- F58** Words in Sch. 1 omitted (5.5.2010) by virtue of [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, [Sch. 2 para. 25\(2\)](#)
- F59** Words repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, [Sch. 6](#)
- F60** Words in Sch. 1 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch. 15](#); S.I. 1991/828, [art. 3\(2\)](#)
- F61** Entry in Sch. 1 commencing “Sections 6 and 7B” substituted (1.4.1991) by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 66(1), [Sch. 9 para. 11\(b\)](#)

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- F62** Sch. 1: words in entry inserted (1.4.2005 for E.) by Children Act 2004 (c. 31), ss. 18, 67(2), **Sch. 2 para. 2(3)**; S.I. 2005/394, **art. 2(2)(b)**
- F63** Entry in Sch. 1 which was added by Matrimonial Causes Act 1973 (c. 18), **Sch. 2 para. 11** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F64** Entries added by Children Act 1975 (c. 72, SIF 49:9, 10), s. 108(1)(a), Sch. 3 para. 74(b)
- F65** Paragraph relating to Pt. I of Children Act 1975 (c. 72, SIF 49: 9, 10) repealed by Adoption Act 1976 (c. 36, SIF 49:11), s. 74(2) **Schs. 2, 4**
- F66** Entry in Sch. 1 inserted (11.7.2006) by Childcare Act 2006 (c. 21), s. 103(1), **Sch. 2 para. 1**
- F67** Entry in Sch. 1 repealed (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139(2)(3), 148, Sch. 3 para. 14(a), **Sch. 5** (with Sch. 4 para. 6-8); S.I. 2005/2213, **art. 2(o)**; S.I. 2005/2897, **art. 2(b)**
- F68** Entry added by Supplementary Benefits Act 1976 (c. 71, SIF 113:1), **Sch. 7 para. 18**
- F69** Words substituted by Social Security Act 1980 (c. 39, SIF 113:1), **Sch. 4 para. 6**
- F70** Entry added by Housing (Homeless Persons) Act 1977 (c. 48), s. 20(2) and repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I
- F71** Entry added by virtue of a substitution by National Health Service Act 1977 (c. 49, SIF 113:2), **Sch. 15 para. 51**
- F72** Entry in Sch. 1 added by Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22, SIF 49: 3), **Sch. 2 para. 27** (subject to savings in Sch. 1) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F73** Entry in Sch. 1 added by Child Care Act 1980 (c. 5, SIF 20), **Sch. 5 para. 29** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F74** Entry in Sch. 1 added by Foster Children Act 1980 (c. 6, SIF 20), **Sch. 2** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15**; S.I. 1991/828, **art. 3(2)**
- F75** Entry added by Residential Homes Act 1980 (c. 7), **Sch. 1 para. 4**, and fell by virtue of the repeal of that 1980 Act by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 30(1), **Sch. 10 Pt. I**
- F76** Entry added by Mental Health Amendment Act 1982 (c. 51, SIF 20), **Sch. 3 para. 45** and repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 4 para. 27(c)**, Sch. 6
- F77** Entry inserted by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 4 para. 27(b)**
- F78** Sch. 1: words in entry relating to the Mental Health Act 1983 substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), **art. 6**, {Sch. 3 para. 27}
- F79** Sch. 1: words in entry relating to s. 114 of the Mental Health Act 1983 substituted (3.11.2008) by The Mental Health Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/2828), **art. 3**
- F80** Words in Sch. 1 inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 43(4), 306(4); S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F81** Sch. 1: entry inserted (1.7.2001 for W. and 4.10.2001 for E.) by 2000 c. 14, s. 112; S.I. 2001/2190, **art. 2**, **Sch.** and S.I. 2001/3331, **art. 2**
- F82** Words inserted by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, **Sch. 2 para. 6**
- F83** Sch. 1: entry repealed (1.4.2002) by 2000 c. 14, s. 117(2), Sch. 6; S.I. 2001/4150, **art. 3(3)(c)** (subject to transitional provisions in **art. 4** and S.I. 2002/1493, **art. 4**); S.I. 2002/920, **art. 3(3)(g)** (with savings in **art. 3(5)-(10)** and subject to transitional provisions in **Schs. 1-3**)
- F84** Sch. 1: entry substituted (20.1.1997) by 1996 c. 52, s. 216(3), **Sch. 17 para. 1**; S.I. 1996/2959, **art. 2**
- F85** Sch. 1: entry added (26.10.2000 for E. and 28.7.2001 for W.) by 2000 c. 22, ss. 107, 108(5)-(7), **Sch. 5 para. 7**; S.I. 2000/2849, **art. 2(f)**
- F86** Words in Sch. 1 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **art. 1**, **Sch. 2 para. 25(3)**
- F87** Words inserted by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 339(2), **Sch. 23 para. 16**
- F88** Words in Sch. 1 added (14.10.1991) at the end of Sch. 1 by Children Act 1989 (c. 41, SIF 20), s. 108(5), **Sch. 13 para. 26(2)**; S.I. 1991/828, **art. 3(2)**
- F89** Words in Sch. 1 inserted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **art. 1**, **Sch. 2 para. 25(4)(a)**
- F90** Words in Sch. 1 inserted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(b)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**

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- F91** Sch. 1: words in entry substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 4; S.I. 2001/4150, art. 3(3)(a) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, **art. 3(3)(d)** (with savings in art. 3(4)-(10) and subject to transitional provisions in Schs. 1-3)
- F92** Words in Sch. 1 inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 15(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F93** Sch. 1: words in entry substituted (1.4.2007) by The References to Health Authorities Order 2007 (S.I. 2007/961), art. 3, **Sch. para. 7**
- F94** Words in Sch. 1 inserted (1.10.2002) by The National Health Service Reform and Health Care Professions Act 2002 (Supplementary, Consequential etc. Provisions) Regulations 2002 (S.I. 2002/2469), reg. 4, **Sch. 1 para. 6**
- F95** Words in Sch. 1 omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 15(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F96** Words inserted (1.4.1993) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(1), **Sch. 9 para. 11(a)**; S.I. 1992/2975, art. 2(2), **Sch.**
- F97** Words in Sch. 1 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 25(4)(b)**
- F98** Words inserted (1.4.1993 except so far as they relate to s. 46 of the 1990 Act which came into force on 1.4.1991 by S.I. 1990/2218, art. 2, **Sch.**) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(1), **Sch. 9 para. 11(c)**; S.I. 1992/2975, art. 2(2), **Sch.**
- F99** Sch. 1: entry repealed (1.11.1996) by 1996 c. 56, ss. 582(1)(2), 583(2), Sch. 37 Pt. I, para. 18, **Sch. 38 Pt. I** (with s. 1(4), Sch. 39)
- F100** Sch. 1: entry added (1.9.1994) by 1993 c. 35, s. 307(1), **Sch. 19 para. 44**; S.I. 1994/2038, art. 3, **Sch. 2**
- F101** Sch. 1: entries inserted (1.4.1996) by 1995 c. 12, **ss. 1(7), 5(2)**
- F102** Sch. 1: entries added (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I**, para. 18 (with s. 1(4), Sch. 39)
- F103** Words in Sch. 1 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 25(5)**
- F104** Sch. 1: entry added (1.4.1997) by 1996 c. 30, **s. 3(3)**; S.I. 1997/756, **art. 2**
- F105** Sch. 1: words inserted in entry (1.4.2001 for E. for certain purposes and 1.7.2001 for W. for certain purposes and 30.4.2003 for E. in so far as not already in force and otherwise prosp.) by 2000 c. 16, ss. 9(a), 12; S.I. 2001/510, art. 2, **Sch.**; S.I. 2001/2196, art. 2, **Sch.**; S.I. 2003/1183, **art. 2**
- F106** Entry in Sch. 1 inserted (1.6.2003) by Adoption (Intercountry Aspects) Act 1999 (c. 18), ss. 15(1), 18(3), Sch. 2 para. 1; S.I. 2003/189, **art. 2(2)(h)**
- F107** Words in Sch. 1 substituted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(i)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F108** Words in Sch. 1 substituted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(ii)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F109** Words in Sch. 1 inserted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(ii)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F110** Sch. 1: entry inserted (1.4.2001 for E. for certain purposes and 1.7.2001 for W. for certain purposes and 1.4.2003 for E. in so far as not already in force and otherwise prosp.) by 2000 c. 16, ss. 9(b), 12, S.I. 2001/510, art. 2, **Sch.** and S.I. 2001/2196, art. 2, **Sch.**; S.I. 2003/1183, **art. 2**
- F111** Sch. 1: entry inserted (22.10.2001 for certain purposes for E. and 8.4.2003 in so far as not already in force for E. and 1.11.2004 for certain purposes for W. and otherwise prosp.) by 2001 c. 15, ss. 67(1), 70(2), Sch. 5 Pt. 2 para. 15(3) (with ss. 64(9), 65(4)); S.I. 2001/3619, art. 3(1); S.I. 2003/850, **art. 3(2)(c)**; S.I. 2004/1754, **art. 2(2)(d)(ii)**
- F112** Sch. 1: entry inserted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, **Sch. 3 para. 14(c)(ii)** (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F113** Sch. 1: entry inserted (1.10.2003 for E. and otherwise prosp.) by Community Care (Delayed Discharges etc.) Act 2003 (c. 5), **ss. 13, 20(2)**; S.I. 2003/2280, **art. 2(2)(b)**
- F114** Entry in Sch. 1 inserted (1.4.2005 for E. and 18.4.2005 for W.) by Carers (Equal Opportunities) Act 2004 (c. 15), **ss. 4, 56(7)**; S.I. 2005/876, **art. 2**; S.I. 2005/1153, **art. 2**

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- F115** Entry in Sch. 1 inserted (1.4.2006 for certain purposes for E. and 1.10.2006 for W. and otherwise prosp.) by Children Act 2004 (c. 31), **ss. 56, 67(7)(e)**; S.I. 2006/927, **art. 2(h)**; S.I. 2006/885, **art. 2(4)(g)**
- F116** Word in Sch. 1 inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 195(3)(a), 269(4)**; S.I. 2009/3317, **art. 2, Sch.**
- F117** Words in Sch. 1 inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 195(3)(b), 269(4)**; S.I. 2009/3317, **art. 2, Sch.**
- F118** Sch. 1: entry inserted (1.10.2007) by Mental Capacity Act 2005 (c. 9), **ss. 67(1), 68(1), Sch. 6 para. 16(3)**; S.I. 2007/1897, **art. 2**
- F119** Words in Sch. 1 inserted (1.4.2009) by Mental Health Act 2007 (c. 12), **s. 56(1), Sch. 9 para. 13** (with **s. 50(8)-(13)**); S.I. 2009/139, **art. 2(e)**
- F120** Words in Sch. 1 inserted (16.2.2009 for E.) by Children and Young Persons Act 2008 (c. 23), **ss. 5, 44(4)** (with **s. 6**); S.I. 2009/323, **art. 2(b)**
- F121** Words in Sch. 1 inserted (18.3.2011) by Social Care Charges (Wales) Measure 2010 (nawm 2), **ss. 15(2), 18(3)**; S.I. 2011/849, **art. 2, Sch.**
- F122** Words in Sch. 1 inserted (1.1.2012) by Carers Strategies (Wales) Measure 2010 (nawm 5), **ss. 9(2), 11**; S.I. 2011/2842, **art. 3(e)**
- F123** Words in Sch. 1 inserted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), **s. 151(1), Sch. 12 para. 13**; S.I. 2012/2906, **art. 2(j)**

**Modifications etc. (not altering text)**

- C12** Sch. 1: entry excluded (9.7.2003) by The Community Care Plans (Disapplication) (England) Order 2003 (S.I. 2003/1716), **art. 2(b)**

SCHEDULE 2

Section 14.

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

*The Children and Young Persons Act 1933 (c. 12)*

- 1 In section 96(7) of the Children and Young Persons Act 1933 (which provides that subject to the provisions of section 39 of the<sup>M4</sup>Children Act 1948 a local authority may refer certain matters to committees) for the words from “section thirty-nine” to “that committee” there shall be substituted the words “sections 2 and 3 of the Local Authority Social Services Act 1970 (which require certain matters to be referred to the social services committee and restrict the reference of other matters to that committee).”

**Modifications etc. (not altering text)**

- C13** The text of **ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3** 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.

**Marginal Citations**

- M4** 1948 c. 43.

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**Textual Amendments**

**F124** Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

5 ..... **F125**

**Textual Amendments**

**F125** Sch. 2 paras. 5, 11 repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, **Sch. 6**

**F126** 6 .....

**Textual Amendments**

**F126** Sch. 2 para. 6 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.VIII**

7 ..... **F127**

**Textual Amendments**

**F127** Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

8 In section 60(2) of the said Act of 1958 (provision to be made by regulations for the payment of compensation in certain cases) after the words “section 46 of the <sup>M5</sup>Children and Young Persons Act 1969” there shall be inserted the words “or of section 2 or 6 of the Local Authority Social Services Act 1970”.

**Modifications etc. (not altering text)**

**C14** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 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.

**Marginal Citations**

**M5** 1969 c. 54.

9 ..... **F128**

**Textual Amendments**

**F128** Ss. 6(7), 7(2)(3), 8, 10, Sch. 2 paras. 2–4, 7, 9 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

*The Children and Young Persons Act 1963 (c. 37)*

10 In section 56(2) of the Children and Young Persons Act 1963 (prosecution of certain Offences) for the words “subsection (2) of section 39 of the Children Act 1948” there shall be substituted the words “subsection (1) of section 3 of the Local Authority Social Services Act 1970” and for the words “those sections” there shall be substituted the words “the said section 85 and section 2 of the said Act of 1970”.



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**Modifications etc. (not altering text)**

**C15** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 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.

11 ..... **F129**

**Textual Amendments**

**F129** Sch. 2 paras. 5, 11 repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, [Sch. 6](#)

*The Chronically Sick and Disabled Persons Act 1970 (c. 44)*

- 12 (1) In section 2(1) of the Chronically Sick and Disabled Persons Act 1970 (which imposes a duty on local authorities to make arrangements for certain matters in exercise of their functions under section 29 of the National Assistance Act 1948) the words “under the general guidance of the Secretary of State and” shall be omitted, and after the words “the purpose)” there shall be inserted the words “and to the provisions of section 7(1) of the Local Authority Social Services Act 1970 (which requires local authorities in the exercise of certain functions, including functions under the said section 29, to act under the general guidance of the Secretary of State)”.
- (2) In section 2(2) of the said Act of 1970 (which makes provision in connection with the carrying into effect of the said arrangements) after the words “section 35(2)” there shall be inserted the words “and to the said section 7(1)”.

**Modifications etc. (not altering text)**

**C16** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 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.

SCHEDULE 3

Section 14.

REPEALS

**Modifications etc. (not altering text)**

**C17** The text of ss. 2(7), 6(8), 14(1)(2), Sch. 2 paras. 1, 6, 8, 10, 12(1)(2), Sch. 3 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.

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REPEALS		
Chapter	Short title	Extent of repeal
11 & 12 Geo. 6. c. 29.	The National Assistance Act 1948.	Section 33(2). In section 35(2), the words "under the general guidance of the Minister and". Schedule 3.
11 & 12 Geo. 6. c. 43.	The Children Act 1948.	Sections 39 to 42. In Schedule 3, the entry relating to section 96(7) of the Children and Young Persons Act 1933.
6 & 7 Eliz. 2. c. 33.	The Disabled Persons (Employment) Act 1958.	In section 3(3), the words from "and subject" onwards. In the Schedule, paragraph 2 and in paragraph 3(3) the words from "and in particular" to "three".
Chapter	Short title	Extent of repeal
6 & 7 Eliz. 2. c. 55.	The Local Government Act 1958.	In section 46, in subsection (1), paragraphs (b), (c) and (e) and the words from "and, subject" onwards, subsections (2) and (3) and in subsection (4), the words from "or Part I" to "1948". Section 47, except subsections (1), (2), (6) and (7) as applied by section 48(1) of that Act, and subsections (5) and (8) as applied by section 52(2) thereof, and in subsection (2) the words from "(except" to "section)". In section 48, in subsection (1), the words from "subject" onwards. In section 50, in subsection (1), the words from "or the amendment" to "1948" and the words from "or for the amendment" onwards and, in subsection (2), the words "or varying or revoking schemes", the words "or a scheme", the words "or fails" and the words "or scheme". Section 51.
7 & 8 Eliz. 2. c. 5.	The Adoption Act 1958.	In Schedule 4, the entry relating to section 39 of the Children Act 1948.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In Schedule 7, Part II, the entry relating to the Children Act 1948.
8 & 9 Eliz. 2. c. 48.	The Matrimonial Proceedings (Magistrates' Courts) Act 1960.	Section 3(7).
8 & 9 Eliz. 2. c. 61.	The Mental Health (Scotland) Act 1960.	In Schedule 4, the entry relating to section 39 of the Children Act 1948.
1963 c. 33.	The London Government Act 1963.	In section 3(2)(d), the words "47(3) and". In section 47(2), the words from "and, without" onwards.
1963 c. 37.	The Children and Young Persons Act 1963.	In Schedule 3, paragraph 41.
1965 c. 72.	The Matrimonial Causes Act 1965.	Section 37(3).



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Chapter	Short title	Extent of repeal
1968 c. 46.	The Health Services and Public Health Act 1968.	In section 45, in subsection (5)(b), the words from “ and Parts I ” to “ 1(1) ” and subsections (6), (7) and (8). Section 68. In Schedule 3, Part I, in the entry relating to the Disabled Persons (Employment) Act 1958, the second paragraph and in the entry relating to the Local Government Act 1958, paragraph (a), in paragraph (b) the words from “ (e) ” to “ 1968 ”, where next occurring, and paragraph (c).
1969 c. 46.	The Family Law Reform Act 1969.	In section 7(4), the words “ and (3) ”.
1969 c. 54.	The Children and Young Persons Act 1969.	In Schedule 5, paragraph 18.

**Status:**

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**Changes to legislation:**

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