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SCHEDULES

SCHEDULE 1

Section 2.

ENACTMENTS CONFERRING FUNCTIONS ASSIGNED TO SOCIAL SERVICES COMMITTEE

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

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.
...	...
F1	F1
...	...
F1	F1
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 organisations for administration of welfare schemes.
...	...
F2	F2
Sections 43 to 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.

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Section 49	Defraying expenses of local authority officer applying for appointment as receiver for certain patients.
. . . F3	. . . F3
Section 56(3) except so far as it relates to an offence under section 47(11).	Prosecution of offences.
. . . F4	. . . F4
. . . F5	. . . F5
F6	F6
.
Disabled Persons (Employment) Act 1958 (c. 33)	
Section 3	Provision of facilities for enabling disabled persons to be employed or work under special conditions.
. . . F7	. . . F7
. . . F8	. . . F8
Mental Health Act 1959 (c. 72) [^{F9} section 8]. . . .	[^{F10} Welfare and accommodation of mentally disordered persons]
. . . F11	
. . . F12	
. . . F12	
[^{F13} Mental Health (Scotland) Act 1984]	
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	. . . F14

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	powers relating to young persons in need of care, protection or control; further provisions for protection of the young in relation to criminal proceedings; . . .
	F14
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F15	F15
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F16	F16
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F17	
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F17	F17
Health Services and Public Health Act 1968 (c. 46)	
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F18	F18
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F18	F18
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.
F19	
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F19	F19
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Children and Young Persons Act 1969 (c. 54)	
The whole Act except [^{F20} section 9]in so far as they assign functions to a local authority in their capacity of a local education authority.	Care and other treatment of children and young persons through court proceedings; . . .
	F21
	F22
	. . .
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.

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Section 18	Provision of certain information required by Secretary of State.
[^{F23} Sections 6 and 7B of this Act]	[^{F23} Appointment of director of social services, etc; provision and conduct of complaints procedure.]
[^{F24} . . .]	[^{F24} . . .]
[^{F25} Children Act 1975 (c.72)]	
.
F26	F26
[^{F25} Part II]	[^{F25} Application by local authority for revocation of custodianship order; inquiries carried out by local authority in custodianship cases.]
[^{F27} Adoption Act 1976 (c.36)]	[^{F27} Maintenance of Adoption Service; functions of local authority as adoption agency; applications for orders freeing children for adoption; inquiries carried out by local authorities in adoption cases; care, possession and supervision of children awaiting adoption.]
[^{F28} Supplementary Benefits Act 1976, Schedule 5]	[^{F28} Provision and maintenance of [^{F29} resettlement units]for persons without a settled way of living.]
.
F30	F30
[^{F31} National Health Service Act 1977, Schedule 8]	[^{F31} Care of mothers and young children, prevention, care and after-care: home help and laundry facilities.]
[^{F32} . . .]	[^{F32} . . .]
[^{F33} . . .]	[^{F33} . . .]
[^{F34} . . .]	[^{F34} . . .]
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F35	F35
.
F36	F36
[^{F37} Mental Health Act 1983 (c. 20)]	
[^{F37} Parts II, III and VI]	[^{F37} 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

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	functions of nearest relative of person so suffering.]
[^{F37} Sections 66, 67, 69(1)]	[^{F37} Exercise of functions of nearest relative in relation to applications and references to Mental Health Review Tribunals.]
[^{F37} Section 114]	[^{F37} Appointment of approved social workers.]
[^{F37} Section 115]	[^{F37} Entry and inspection.]
[^{F37} Section 116]	[^{F37} Welfare of certain hospital patients.]
[^{F37} Section 117]	[^{F37} After-care of detained patients.]
[^{F37} Section 130]	[^{F37} Prosecutions.]
[^{F38} 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)]	[^{F38} Charges for local authority welfare services]
[^{F39} Public Health (Control of Disease) Act 1984 (c. 22)]	
[^{F39} Section 46(2) and (5)]	[^{F39} 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.]
F40	F40
...	...
[^{F41} Housing Act 1996 Section 213(1)(b)]	Co-operation in relation to homeless persons and persons threatened with homelessness.]
[^{F42} Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)]	
[^{F42} Sections 1 to 5, 7 and 8 except in so far as they assign functions to a local authority in their capacity as a local education authority.]	[^{F42} Representation and assessment of disabled persons.]
[^{F43} Housing (Scotland) Act 1987 (c. 26) section 38(b)]	[^{F43} Co-operation in relation to homeless persons and persons threatened with homelessness.]
[^{F44} Children Act 1989, The whole Act, in so far as it confers functions on a local authority within the meaning of that Act.]	[^{F44} Welfare reports.]
	[^{F44} Consent to application for residence order in respect of child in care.]
	[^{F44} Family assistance orders.]
	[^{F44} Functions under Part III of the Act (local authority support for children and families).]

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	[^{F44} Care and supervision.]
	[^{F44} Protection of children.]
	[^{F44} Functions in relation to community homes, voluntary homes and voluntary organisations, [^{F45} private] children’s homes, private arrangements for fostering children, child minding and day care for young children.]
	[^{F44} Inspection of children’s homes on behalf of Secretary of State.]
	[^{F44} Research and returns of information.]
	[^{F44} Functions in relation to children accommodated by health authorities [^{F46} , Primary Care Trusts,][^{F47} National Health Service trusts] and local education authorities or in [^{F45} care homes, independent hospitals or schools].]
[^{F48} National Health Service and Community Care Act 1990 (c. 19)]	
[^{F48} Section 46]	[^{F48} Preparation of plans for community care services.]
[^{F48} Section 47]	[^{F48} Assessment of needs for community care services.]
F49	F49
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[F50	
Section 166.]	
[^{F51} Carers (Recognition and Services) Act 1995 (c.12)]	
[^{F51} Section 1	Assessment of ability of carers to provide care.]
[^{F52} Education Act 1996.]	
[^{F52} Section 322.....]	[^{F52} Help for local education authority in exercising functions under Part IV of the Act.]
[^{F53} 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[^{F54} or services under the Carers and Disabled Children Act 2000].
[^{F55} Adoption (Intercountry Aspects) Act 1999 (c.18) Section 2(4)	Functions under Article 9(a) to (c) of the Convention on Protection of Children and Co-operation in respect of Intercountry

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	Adoption, concluded at the Hague on 29th May 1993.]
[^{F56} 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.]	[^{F56} Assessment of carers' needs. Provision of services to carers. Provision of vouchers.]
[^{F57} 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.]
[^{F58} 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.]

Textual Amendments

- F1** 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**
- F2** 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.
- F3** Words repealed by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, **Sch. 3**
- F4** Entry repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), **Sch. 1 Pt. XII**
- F5** Entry repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, **Sch. 6**
- F6** Sch. 1: entry repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. VIII**
- F7** Entry repealed by [Foster Children Act 1980 \(c. 6\)](#), s. 23(3), **Sch. 3**
- F8** Entry repealed by [Adoption Act 1976 \(c. 36, SIF 49:11\)](#), s. 74(2), Schs. 2, 4
- F9** 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)**
- F10** Entry substituted by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148, **Sch. 4 para. 27(a)**
- F11** Words repealed by [Education \(Handicapped Children\) Act 1970 \(c. 52\)](#), **Sch.** and [National Health Service Reorganisation Act 1973 \(c. 32\)](#), s. 57, **Sch. 5**
- F12** 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)
- F13** Words substituted by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), s. 127, **Sch. 3 para. 18**
- F14** Words repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, **Sch. 6**
- F15** Entry repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89, **Sch. 6**
- F16** Words repealed by [Matrimonial Causes Act 1973 \(c. 18\)](#), Sch. 2 para. 11, **Sch. 3**
- F17** Entry repealed by [Supplementary Benefits Act 1976 \(c. 71, SIF 113:1\)](#), s. 35(2)(3), Sch. 7 para. 18, **Sch. 8 Pt. I**
- F18** Words repealed by [National Health Service Act 1977 \(c. 49, SIF 113:2\)](#), s. 129, **Sch. 16**

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- F19** Sch. 1: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c.14), s. 1(1), {Sch. 1Pt. 10 Group 3}
- F20** Words in Schedule 1 in entry relating to the Children and Young Persons Act 1969 substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(5), **Sch. 13 para. 26(1)(b)**; S.I. 1991/828, **art. 3(2)**
- F21** Words repealed by Child Care Act 1980 (c. 5), s. 89, **Sch. 6**
- F22** 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)**
- F23** 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)**
- F24** 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)**
- F25** Entries added by Children Act 1975 (c. 72, SIF 49:9, 10), s. 108(1)(a), Sch. 3 para. 74(b)
- F26** Paragraph relating to Pt. 1 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**
- F27** Paragraph added by Adoption Act 1976 (c. 36, SIF 49:11), **Sch. 3 para. 15**
- F28** Entry added by Supplementary Benefits Act 1976 (c. 71, SIF 113:1), **Sch. 7 para. 18**
- F29** Words substituted by Social Security Act 1980 (c. 39, SIF 113:1), **Sch. 4 para. 6**
- F30** 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
- F31** Entry added by virtue of a substitution by National Health Service Act 1977 (c. 49, SIF 113:2), **Sch. 15 para. 51**
- F32** 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)**
- F33** 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)**
- F34** 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)**
- F35** 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**
- F36** 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
- F37** Entry inserted by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 4 para. 27(b)**
- F38** 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**
- F39** Words inserted by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, **Sch. 2 para. 6**
- F40** 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)
- F41** Sch. 1: entry substituted (20.1.1997) by 1996 c. 52, s. 216(3), **Sch. 17 para. 1**; S.I. 1996/2959, **art. 2**
- F42** 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)**
- F43** Words inserted by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 339(2), **Sch. 23 para. 16**
- F44** 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)**
- F45** 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)
- F46** 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**

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- F47** 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.**
- F48** 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.**
- F49** 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)
- F50** 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**
- F51** Sch. 1: entries inserted (1.4.1996) by 1995 c. 12, ss. **1(7)**, 5(2)
- F52** 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)
- F53** Sch. 1: entry added (1.4.1997) by 1996 c. 30, s. **3(3)**; S.I. 1997/756, **art. 2**
- F54** 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**
- F55** 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)**
- F56** 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**
- F57** 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)**
- F58** 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)**

Modifications etc. (not altering text)

- C1** Sch. 1: entry excluded (9.7.2003) by The Community Care Plans (Disapplication) (England) Order 2003 (S.I. 2003/1716), **art. 2(b)**

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