

Changes to legislation: Children Act 1989, Cross Heading: The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33) is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 13

CONSEQUENTIAL AMENDMENTS

The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

- 58 In section 1(3) of the Disabled Persons (Services, Consultation and Representation) Act 1986 (circumstances in which regulations may provide for the appointment of authorised representatives of disabled persons)—
- (a) in paragraph (a), for the words “parent or guardian of a disabled person under the age of sixteen” there shall be substituted—
 - “(i) the parent of a disabled person under the age of sixteen, or
 - (ii) any other person who is not a parent of his but who has parental responsibility for him”; and
 - (b) in paragraph (b), for the words “in the care of” there shall be substituted “looked after by”.

Commencement Information

II Sch. 13 para. 58 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

- 59 (1) Section 2 of that Act (circumstances in which authorised representative has right to visit etc. disabled person) shall be amended as follows.
- (2) In subsection (3)(a) for the words from second “the” to “by” there shall be substituted “for the words “if so requested by the disabled person” there shall be substituted “if so requested by any person mentioned in section 1(3)(a)(i) or (ii)”>.”
- (3) In subsection (5) after paragraph (b) there shall be inserted—
“(bb) in accommodation provided by or on behalf of a local authority under Part III of the Children Act 1989, or”.
- (4) After paragraph (c) of subsection (5) there shall be inserted—
“(cc) in accommodation provided by a voluntary organisation in accordance with arrangements made by a local authority under section 17 of the Children Act 1989, or”.

Commencement Information

I2 Sch. 13 para. 59 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

- 60 In section 5(7)(b) of that Act (disabled persons leaving special education) for the word “guardian” there shall be substituted “other person who is not a parent of his but who has parental responsibility for him”.

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Commencement Information

I3 Sch. 13 para. 60 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

61 (1) In section 16 of that Act (interpretation) in the definition of “disabled person”, in paragraph (a) for the words from “means” to “applies” there shall be substituted “means—

(i) in the case of a person aged eighteen or over, a person to whom section 29 of the 1948 Act applies, and

(ii) in the case of a person under the age of eighteen, a person who is disabled within the meaning of Part III of the Children Act 1989”.

(2) After the definition of “parent” in that section there shall be inserted—

““parental responsibility” has the same meaning as in the Children Act 1989.”

^{F1}(3)

^{F1}(4)

Textual Amendments

F1 Sch. 13 para. 61(3)(4) omitted (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **122**

Commencement Information

I4 Sch. 13 para. 61 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by [2009 c. 24 Sch. 6 para. 21\(3\)](#)
- s. 4(1C) inserted by [2009 c. 24 Sch. 6 para. 21\(4\)](#)
- s. 4ZA(2)(aa) inserted by [2009 c. 24 Sch. 6 para. 22\(3\)](#)
- s. 4ZA(3A) inserted by [2009 c. 24 Sch. 6 para. 22\(4\)](#)
- s. 8(4)(k) inserted by [2021 c. 17 s. 52\(1\)](#)
- s. 31A(4A) inserted by [2014 c. 6 s. 15\(2\)\(b\)](#)