

SCHEDULES

SCHEDULE 16

CHILDREN ACT 1989

PART I

AMENDMENT OF ACT AND OTHER ENACTMENTS AFFECTED

The Children and Young Persons Act 1969 (c. 54)

- 4 (1) Section 16 of the Children and Young Persons Act 1969 (provisions supplementary to section 15) shall be amended as follows.
- (2) In subsection (3)—
- (a) for the words “relevant infant” there shall be substituted “supervised person”; and
 - (b) the words from “and the justice” to the end shall be omitted.
- (3) After subsection (3) there shall be inserted the following subsections—
- “(3A) Where a supervised person is brought before a justice under subsection (3) of this section, the justice may—
- (a) direct that he be released forthwith; or
 - (b) subject to subsection (3C) of this section, remand him to local authority accommodation.
- (3B) A justice who remands a person to local authority accommodation shall designate, as the authority who are to receive him, the authority named in the supervision order in respect of which the application or reference is being made.
- (3C) Where the supervised person has attained the age of eighteen at the time when he is brought before the justice, he shall not be remanded to local authority accommodation but may instead be remanded—
- (a) to a remand centre, if the justice has been notified that such a centre is available for the reception of persons under this subsection; or
 - (b) to a prison, if he has not been so notified.”
- (4) For subsection (4) there shall be substituted the following subsection—
- “(4) Where an application is made to a court under section 15(1) of this Act, the court may remand (or further remand) the supervised person to local authority accommodation if—
- (a) a warrant has been issued under subsection (2) of this section for the purpose of securing the attendance of the supervised person before the court; or

Status: This is the original version (as it was originally enacted).

- (b) the court considers that remanding (or further remanding) him will enable information to be obtained which is likely to assist the court in deciding whether and, if so, how to exercise its powers under section 15(1).”
- (5) In subsections (5)(b) and (c) and (6)(a), after the word “12A”, in each place where it occurs, there shall be inserted “12AA”.
- 5 (1) Section 32 of that Act (detention of absentees), as amended by paragraph 27 of Schedule 12 to the Act of 1989, shall be further amended as follows.
- (2) In the new subsection (1A), in paragraph (b)(ii), for the words “section 23(1)” there shall be substituted “section 16(3A) or 23(1)”.
- (3) In the new subsection (1C), after the words “section 12AA” there shall be inserted “, 16(3B)”.