



# Children and Young Persons Act 1933

1933 CHAPTER 12 23 and 24 Geo 5

## PART VI

### SUPPLEMENTAL

#### *Local Authorities*

#### 96 Provisions as to local authorities.

- (1) Subject to the modifications hereinafter contained as to the City of London, where any powers or duties are by [<sup>F1</sup>Part II of this Act] conferred or imposed on local authorities (by that description) those powers and duties shall . . . <sup>F2</sup> be powers and duties of local education authorities . . . <sup>F2</sup>.
- [<sup>F3</sup>(1A) The local authorities for the purposes of Parts III and IV of this Act shall be the council of counties (other than metropolitan counties), of metropolitan districts and of London boroughs and the Common Council of the City of London.]
- (2) . . . . . <sup>F4</sup>
- (3) Expenses incurred by a local authority in connection with powers and duties which are, under this Act, exercised and performed by them as local education authorities [<sup>F5</sup>shall be defrayed as expenses under the enactments relating to education].
- (4) Expenses incurred under this Act by the council of a county or county borough, exclusive of any expenses to be defrayed [<sup>F5</sup>in accordance with] the last foregoing subsection . . . <sup>F2</sup> shall be defrayed . . . <sup>F6</sup> as expenses for general county purposes or, as the case may be, out of the general rate.
- (5) . . . . . <sup>F7</sup>
- (6) . . . . . <sup>F8</sup>
- (7) [<sup>F9</sup>Subject to the provisions of [<sup>F10</sup>sections 2 and 3 of the <sup>M1</sup>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)]] a local

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authority may refer to a committee appointed for the purposes of this Act, or to any committee appointed for the purposes of any other Act, any matter relating to the exercise by the authority of any of their powers under this act and may delegate any of the said powers (other than any power to borrow money) to any such committee.

- (8) A local authority, or a committee to whom any powers of a local authority under this Act have been delegated, may by resolution empower the clerk or the chief education officer of the authority to exercise in the name of the authority in any case which appears to him to be one of urgency any powers of the authority or, as the case may be, of the committee with respect to the institution of proceedings under this Act.

#### Textual Amendments

- F1** Words substituted by [Children Act 1948 \(c. 43\), Sch. 3](#)  
**F2** Words repealed by [Education Act 1944 \(c.31\), Sch.9 Pt.1](#)  
**F3** [S. 96\(1A\)](#) inserted (1.4.1981) by [Child Care Act 1980 \(c. 5\), Sch. 5 para. 1](#)  
**F4** [S. 96\(2\)](#) repealed by [Education Act 1944 \(c. 31\), Sch. 9](#)  
**F5** Words substituted by [Education Act 1944 \(c. 31\), Sch. 8](#)  
**F6** Words repealed by [National Assistance Act 1948 \(c. 29\), s. 62, Sch. 7 Pt. III](#)  
**F7** [S. 96\(5\)](#) repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\), s. 34\(3\), Sch. 6 Pt. II](#)  
**F8** [S. 96\(6\)](#) repealed by [London Government Act 1963 \(c. 33\), s. 93, Sch. 18 Pt. II](#)  
**F9** Words inserted by [Children Act 1948 \(c. 43\), Sch. 3](#)  
**F10** Words substituted by [Local Authority Social Services Act 1970 \(c. 42\), Sch. 2 para. 1](#)

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

- C1** Reference to expenses for general county purposes to be construed as reference to general expenses of a county council, and references to clerk of a local authority to be construed as reference to proper officer of a local authority: [Local Government Act 1972 \(c. 70\), Sch. 29 Pt I paras. 3\(a\), 4\(1\)\(a\)](#)  
**C2** [S. 96\(1\)](#) amended by [Children and Young Persons Act 1963 \(c. 37\), s. 56\(1\)](#)  
**C3** [S. 96\(4\)](#) excluded by [London Government Act 1963 \(c. 33\), s. 47\(2\)](#)

#### Marginal Citations

- M1** [1970 c. 42.](#)

## 97 Modifications of last foregoing section as to City of London.

The last foregoing section shall, in its application to the City of London, have effect subject to the modifications that the powers and duties of a local authority under this Act . . . <sup>F11</sup> as respects street trading and employment, shall be powers and duties of the Common Council and any expenses of the Common Council shall be defrayed out of the general rate:

Provided that—

- (a) the powers and duties of a local authority with respect to the granting of licences for children to take part in entertainments shall be powers and duties of the . . . <sup>F12</sup> local education authority . . . <sup>F13</sup>; and  
 (b) nothing in this section shall exempt the City of London from the liability to contribute towards the expenses incurred by the [<sup>F14</sup>local education authority] under this Act, . . . <sup>F11</sup>

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#### Textual Amendments

- F11 Words repealed by [Children Act 1948 \(c. 43\)](#), [Sch. 3](#)
- F12 Words repealed by [London Government Act 1963 \(c. 33\)](#), s. 93, [Sch. 18](#), Pt. II
- F13 Words repealed by [Education Act 1944 \(c.31\)](#), Sch.9 Pt.1
- F14 Words substituted by [London Government Act 1963 \(c. 33\)](#), [s. 30\(8\)](#)

#### [<sup>F15</sup>98 †Institution of proceedings by local or poor law authorities.

Without prejudice to the last foregoing section, a local education authority may institute proceedings for any offence under Part I or Part II of this Act.]

#### Textual Amendments

- F15 [S. 98](#) substituted by [Children Act 1948 \(c. 43\)](#), [Sch. 3](#)

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

- C4 Unreliable marginal note.

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