

SCHEDULE 3

TRANSITIONAL PROVISIONS IN RELATION TO CERTAIN PERSONS DISQUALIFIED FROM CARING FROM CHILDREN

Transitional provision in respect of appeals against refusals to give consent under section 65 of the 1989 Act

3. Where before 1st April 2002, a responsible authority made a decision refusing to give their consent under section 65 of the 1989 Act—

(1) if an appeal was brought against the decision before 1st April 2002—

- (a) sub-paragraphs (1) to (4) and (6) of paragraph 8 of Schedule 6 to the 1989 Act shall continue in force in relation to the decision and the appeal notwithstanding the repeal of the provisions of Schedule 6 to the 1989 Act specified in Schedule 6 to the 2000 Act;
- (b) the functions, powers and duties that immediately before 1st April 2002 the responsible authority had under the 1989 Act in relation to the decision and the appeal shall apply to, and be exercisable by, the National Assembly instead of the responsible authority;
- (c) any determination of the Registered Homes Tribunal in relation to the decision shall be in accordance with, and have effect as if it were made by the Tribunal under, section 65A of the 1989 Act;

(2) if an appeal was not brought against the refusal and the period within which an appeal against the decision could be brought under sub-paragraph (3) of paragraph (8) of Schedule 6 to the Act has not expired immediately before 1st April 2002, section 65A of the 1989 Act shall apply to the decision as if it were a decision of the National Assembly.