

## SCHEDULES

### SCHEDULE 3

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The principal Act*

- 1 In section 1(1), the words "or in default of payment of such a fine " shall be omitted  
in both places where they occur.
- 2 In section 3, the words " or in default of payment of such a fine " shall be omitted.
- 3 In section 4(1), the words " or in default of payment of such a fine " shall be omitted.
- 4 For subsection (3) of section 18 there shall be substituted the following subsection:  
—
- “(3) Nothing in this section, or in any byelaw made under this section, shall  
prevent a child from taking part in a performance—
- (a) under the authority of a licence granted under this Part of this Act; or
- (b) in a case where by virtue of section 37(3) of the Children and Young  
Persons Act 1963 no licence under that section is required for him  
to take part in the performance.”
- 5 In section 23, for the words "public performance" there shall be substituted the  
words " performance to which section 37 of the Children and Young Persons Act  
1963 applies and ".
- 6 (1) In subsection (2) of section 24 for the words "petty sessional court" there shall be  
substituted the words " local authority ".
- (2) In subsection (4) of that section for the word " court", in both places where it occurs,  
there shall be substituted the word " authority ".
- 7 In the proviso to section 25(1), for the words " Great Britain and Ireland" there shall  
be substituted the words " the United Kingdom ".
- 8 In section 26(1), the words " or in default of payment of such a fine " shall be  
omitted.
- 9 In section 28(1) for the words " an entertainment or performance " there shall be  
substituted the words " a performance ".
- 10 In section 29(3), for the words " The said provisions " there shall be substituted the  
words " The provisions of this Part of this Act relating to employment ".
- 11 In section 40(1), for the words from " to take him " to " detain him there " there  
shall be substituted the words " to take him to a place of safety, or authorising any  
constable to remove him with or without search to a place of safety, and a child  
or young person taken to a place of safety in pursuance of such a warrant may be  
detained there ".

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*Status: This is the original version (as it was originally enacted).*

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- 12 In section 48(1), the words " or an application relating to " and the words " or application " shall be omitted.
- 13 In section 53(4), for the words "shall return" there shall be substituted the words " may be arrested without warrant by any constable and taken " ; and the words from " and if he fails " to the end of the section shall be omitted.
- 14 (1) In subsection (1) of section 56, for the words " if it thinks fit" there shall be substituted the words " and, if it is not a juvenile court, shall unless satisfied that it would be undesirable to do so ".
- (2) For subsection (2) of that section there shall be substituted the following subsection:  
—
- “(2) Where any case is so remitted—
- (a) the offender shall have the same right of appeal against any order of the court to which the case is remitted as if he had been found guilty by that court, but shall have no right of appeal against the order of remission ; and
- (b) any appeal against the finding of guilt shall, if the finding was made by a juvenile or other magistrates' court, be made to the court of quarter sessions having jurisdiction to hear an appeal under paragraph (a) of this subsection.”
- 15 In section 58, for the words " for the detention of the person to whom it relates " there shall be substituted the words " for his detention in that approved school or in such other approved school as the Secretary of State may from time to time determine ".
- 16 After subsection (2A) of section 62 there shall be inserted the following subsection:  
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- “(2B) A person of or over the age of sixteen who is or has been married shall not be brought before or dealt with by a juvenile court under this section.”
- 17 (1) In section 67(1), after the words " committed, or " there shall be inserted the words " any person ".
- (2) In section 67(2), after the words " five foregoing sections " there shall be inserted the words " or subsection (8) of section 84 of this Act ".
- 18 In subsections (2) and (7) of section 70, for the words from " by reason of " to " education)" there shall be substituted the words " in respect of a person brought before a juvenile court under section 40A of the Education Act 1944 ".
- 19 In section 73, the words " under the foregoing provisions of this Act" shall be omitted and at the end of the proviso there shall be added the words " nor to a person detained under this section or under section 17 of the Criminal Justice Act 1961 ".
- 20 (1) In subsection (1) of section 84, after the words " in this section " there shall be inserted the words " and the next following section ".
- (2) In subsection (6) of that section the words " upon the application of any person " shall be omitted.
- 21 In section 85(1), for the words from " who, having no parent" to the end of the subsection there shall be substituted the words " beyond the control of his parent or guardian ".

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

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- 22 In section 90(5), the following shall be substituted for paragraph (b):—  
“(b) is made in respect of a person brought before a juvenile court under section 40A of the Education Act 1944”.
- 23 In section 102(1)(a), after the words " probation officer or other person " there shall be inserted the words " (including an order under section 51(1) of the Children and Young Persons Act 1963) ".
- 24 In section 107(1), the words " and the City of London " shall be added at the end of the definition of " metropolitan police court area ".
- 25 For sub-paragraph (1) of paragraph 9 of Schedule 4 there shall be substituted the following sub-paragraph:—  
“(1) The Secretary of State may at any time order a person under the care of the managers of an approved school to be discharged or, with the consent of the Secretary of State concerned with the administration of the Children and Young Persons (Scotland) Act 1937, to be transferred to the care of the managers of a school in Scotland which is an approved school within the meaning of that Act; and may, without prejudice to his power to determine the school in which any person is to be detained at any time, order a person not detained but under the care of the managers of an approved school to be transferred to the care of the managers of another approved school.”
- 26 For sub-paragraph (3) of paragraph 12 of Schedule 4 there shall be substituted the following sub-paragraph:—  
“(3) A local authority for the purposes of Parts III and IV of this Act shall, if requested to do so by the managers of an approved school, cause to be visited, advised and befriended any person who is or is likely to be in their area while out under supervision from that school, any person detained in or out under supervision from that school whose parent or guardian is in their area, and any person in their area who may be visited, advised and befriended in pursuance of paragraph 7 of Schedule 2 to the Criminal Justice Act 1961.”
- 27 In paragraph 13 of Schedule 4, for the words from " powers, protection and privileges " to the end of the paragraph there shall be substituted the words “powers, protection and privileges—  
(i) in the United Kingdom or the Isle of Man, of a constable ;  
(ii) in Jersey, of a member of the police;  
(iii) in any other part of the Channel Islands, of an officer of police within the meaning of section 43 of the Larceny (Guernsey) Law 1958, or any corresponding law for the time being in force.”