



# Children and Young Persons Act 1969

## 1969 CHAPTER 54

### PART I

#### CARE AND OTHER TREATMENT OF JUVENILES THROUGH COURT PROCEEDINGS

##### *Transfer*

#### **26 Transfers between England or Wales and the Channel Islands or Isle of Man.**

- (1) The Secretary of State may by order designate for the purposes of this section an order of any description which—
- (a) a court in the Isle of Man or any of the Channel Islands is authorised to make by the law for the time being in force in that country; and
  - (b) provides for the committal to the care of a public authority of a person who has not attained the age of eighteen; and
  - (c) appears to the Secretary of State to be of the same nature as a care order other than an interim order [<sup>F1</sup> or as a [<sup>F2</sup>youth rehabilitation order imposing a local authority residence requirement]] ;

and in this section “relevant order” means an order of a description for the time being so designated and “the relevant authority”, in relation to a relevant order, means the authority in the Isle of Man or any of the Channel Islands to whose care the person to whom the order relates is, under the law of that country, committed by the order [<sup>F3</sup>and “care order” means an order made under section 31 of the Children Act 1989].

- (2) The Secretary of State may authorise a local authority to receive into their care any person named in the authorisation who is the subject of a relevant order; and while such an authorisation is in force in respect of any person he shall, subject to the following subsection [<sup>F4</sup> be deemed to be the subject of a care order placing the child in the care of a named local authority or, where the relevant order was made as a criminal disposal in criminal proceedings, a [<sup>F5</sup>youth rehabilitation order imposing a local authority residence requirement] with a requirement that the child be accommodated by a designated local authority].

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*Changes to legislation: There are currently no known outstanding effects for the  
 Children and Young Persons Act 1969, Section 26. (See end of Document for details)*

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(4) An authorisation given to a local authority under this section shall cease to have effect when—

- (a) the local authority is informed by the Secretary of State that he has revoked it; or
- (b) the relevant order to which the authorisation relates ceases to have effect by the effluxion of time under the law of the place where the order was made or the local authority is informed by the relevant authority that the order has been discharged under that law; or
- (c) the person to whom the relevant order relates is again received into the care of the relevant authority;

and if a local authority having by virtue of this section the care of a person to whom a relevant order relates is requested by the relevant authority to make arrangements for him to be received again into the care of the relevant authority, it shall be the duty of the local authority to comply with the request.

#### **Extent Information**

**E1** S. 26 extends to England, Wales, the Channel Islands and the Isle of Man only

#### **Textual Amendments**

- F1** Words in s. 26(1)(c) inserted (14.10.1991) by [S.I. 1991/2032, reg. 8\(2\)\(a\)](#).
- F2** Words in s. 26(1)(c) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\), Sch. 4 para. 16\(2\)](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074, art. 2\(p\)\(iii\)](#)
- F3** Words in s. 26(1) inserted (14.10.1991) by [S.I. 1991/2032, reg. 8\(2\)\(a\)](#).
- F4** Words in s. 26(2) substituted (14.10.1991) for words to the end of subsection (3) by [S.I. 1991/2032, reg. 8\(2\)\(b\)](#).
- F5** Words in s. 26(2) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\), Sch. 4 para. 16\(3\)](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074, art. 2\(p\)\(iii\)](#)

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

**C1** Ss. 25, 26: power to amend conferred (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\), s. 101\(5\)\(a\)](#), (with [Sch. 14 para. 1\(1\)](#)); [S.I. 1991/828, art. 3\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 26.