

**Changes to legislation:** Health And Social Services And Social Security Adjudications Act 1983, SCHEDULE 2 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 2 **U.K.**

Section 9.

#### MISCELLANEOUS AMENDMENTS RELATING TO CHILDREN AND YOUNG PERSONS

##### *Adoption Act 1958 (c. 5.)*

- 1 The repeals—
- (a) of section 33 of the Adoption Act 1958 (inspection of books of registered adoption societies) by the <sup>M1</sup>Adoption Act 1976 and by the <sup>M2</sup>Adoption (Scotland) Act 1978; and
  - (b) of sections 34(4) and (5) and 34A(6A) and (6B) of that Act by the Adoption (Scotland) Act 1978,
- are hereby brought into force.

#### Marginal Citations

**M1** 1976 c. 36.

**M2** 1978 c. 28.

##### *[<sup>F1</sup> Children Act 1958 (c.65.)*

#### Textual Amendments

**F1** Sch. 2 para. 2 repealed (S.) by Foster Children (Scotland) Act 1984 (c. 56, SIF 20), s. 22(3), Sch. 3

- 2 In section 7 of the Children Act 1958 (removal of foster children kept in unsuitable surroundings) for subsection (4) there shall be substituted the following subsection.

“(4) A local authority may receive into their care under section fifteen of the Social Work (Scotland) Act 1968 (duty of local authority to provide for orphans, deserted children, etc), any child removed under this section, whether or not the circumstances of the child are such that they fall within paragraphs (a) to (c) of subsection (1) of the said section 15 and notwithstanding that he may appear to the local authority to be over the age of seventeen.”.]

##### *[<sup>F2</sup> Mental Health Act 1959 (c. 72.)]*

#### Textual Amendments

**F2** Sch. 2 paras. 3, 9–14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

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- 3 In subsection (1) of section 9 of the Mental Health Act 1959 (functions of children authorities) for the words “section 34” there shall be substituted the words “section 31”.

*Social Work (Scotland) Act 1968 (c. 49.)*

- [<sup>F3</sup>4 In subsection (3A) of section 15 of the Social Work (Scotland) Act 1968 (duty of local authority to provide for orphans, deserted children, etc.)—
- (a) for the words “notwithstanding that no” there shall be substituted the words “whether or not a”; and
- (b) for paragraph (b) there shall be substituted the following paragraph—
- “(b) by a parent or guardian of the child in relation to whom no resolution under section 16 of this Act is in effect with respect to the child and who has given the local authority not less than 28 days’ notice in writing of his intention to do it.”].

**Textual Amendments**

- F3** Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, Sch. 5 (with Sch. 3 paras. 4, 6); S.I. 1996/3201, art. 3(7) (as substituted (7.3.1997) by S.I. 1997/744, art. 2)

- [<sup>F4</sup>5 In section 20 of that Act (duty of local authority to further the best interests of a child in their care)—
- (a) in subsection (1), for the words “, the local authority” there shall be substituted the words “or of a voluntary organisation, they”;
- (b) in subsection (2), for the words “a local authority” there shall be substituted the word “they”, and after the words “the local authority”, there shall be inserted the words “or voluntary organisation”; and
- (c) in subsection (3), after the word “authority”, there shall be inserted the words “or voluntary organisation”, and for the words “section 17(3)” there be substituted the words “sections 17(3), 17(3A)”.]

**Textual Amendments**

- F4** Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, Sch. 5 (with Sch. 3 paras. 4, 6); S.I. 1996/3201, art. 3(7) (as substituted (7.3.1997) by S.I. 1997/744, art. 2)

- [<sup>F5</sup>6 In subsection (2) of section 23 of that Act (power of Secretary of State to consent to emigration of child in care of local authority in certain circumstances) for the words “or relative” there shall be substituted the words “relative or friend”.]

**Textual Amendments**

- F5** Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, Sch. 5 (with Sch. 3 paras. 4, 6); S.I. 1996/3201, art. 3(7) (as substituted (7.3.1997) by S.I. 1997/744, art. 2)

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7 In subsection (1) of section 31 of that Act (restriction on prosecution of children for offences) after the word “child” on each occurrence there shall be inserted the words “under the age of sixteen years”.

[<sup>F6</sup>8 In section 42 of that Act (application from reporter to sheriff for findings)—

(a) in subsection (6) at the beginning there shall be inserted the words “Subject to subsection (6A) of this section,”;

(b) after subsection (6) there shall be inserted the following subsection—

“(6A) Notwithstanding the provisions of subsection (2)(c) of this section, where, in the course of the proceedings before the sheriff, the child and his parent accept any of the grounds in respect of which the application has been made, the sheriff may dispense with the hearing of evidence relating to that ground unless he is satisfied that in all the circumstances such evidence should be heard, and deem that ground to have been established for the purposes of this section.”; and

(c) in subsection (7) at the end there shall be added the words—

“except that where any of the grounds for the referral are accepted by the child’s parent, whether or not accepted by the child, then, notwithstanding subsection (6A) of this section, the sheriff may dispense with the hearing of evidence relating to that ground if he is satisfied that in all the circumstances it would be reasonable to do so.”]

**Textual Amendments**

**F6** Sch. 2 paras. 4-6, 8 repealed (S.) (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 32, **Sch. 5** (with Sch. 3 paras. 4, 6); S.I. 1996/3201, **art. 3(7)** (as substituted (7.3.1997) by S.I. 1997/744, **art. 2**)

*<sup>F7</sup> Family Law Reform Act 1969 (c. 46.)*

**Textual Amendments**

**F7** Sch. 2 paras. 3, 9-14, 20 (E.W.)repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

<sup>F8</sup>9 .....

**Textual Amendments**

**F8** Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991)by Children Act 1989 (c. 41, SIF 20), s. 208(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

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

<sup>F9</sup>10 .....

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**Textual Amendments**  
**F9** Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

<sup>F10</sup>11 .....

**Textual Amendments**  
**F10** Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

<sup>F11</sup>12 .....

**Textual Amendments**  
**F11** Sch. 2 paras. 3, 9-14, 20 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

<sup>F12</sup>13 .....

**Textual Amendments**  
**F12** Sch. 2 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

<sup>F13</sup>14 .....

**Textual Amendments**  
**F13** Sch. 1 paras. 3, 9-14, 20 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

15 In section 25 of that Act (transfers of children in care between England or Wales and Northern Ireland)—

<sup>F14</sup>(a) .....

<sup>F15</sup>(b) .....

**Textual Amendments**  
**F14** Sch. 2 para. 15(a) repealed (4.11.1996) by S.I. 1995/756, art. 15, Sch.; S.R. 1999/297, art. 3  
**F15** Sch. 2 para. 15(b) repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), Sch. 28 Pt. 1 (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(u)(x)

<sup>F16</sup>16 .....

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**Textual Amendments**

**F16** Sch. 2 para. 16 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(x)

17 Section 46 of that Act (discontinuance of approved schools etc. on establishment of community homes) and Schedule 3 to that Act (which relates to such schools and to other institutions) shall have effect as if—

- (a) any reference to a regional plan approved by the Secretary of State included a reference to a home being designated as a community home under section 31 of the <sup>M3</sup>Child Care Act 1980; and
- (b) any reference to a planning area included a reference to the area of a local authority.

**Marginal Citations**

**M3** 1980 c. 5.

18 In section 65(3) of that Act (grants to voluntary organisations etc.) for the words from “such” to “institution” there shall be substituted the words “part of the premises occupied by the institution forms part of a controlled or assisted community home.”.

19 In section 73 of that Act (citation, commencement and extent) in subsection (6) (by virtue of which section 32(1) and (4), among other provisions, extend to the Channel Islands) after the words “32(1)” there shall be inserted the word “,(1A)”

*<sup>F17</sup>Matrimonial Causes Act 1973 (c. 18.)*

**Textual Amendments**

**F17** Sch. 2 paras. 3, 9–14, 20 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108((7), [Sch. 15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, art. 3(2)

<sup>F18</sup>20 .....

**Textual Amendments**

**F18** Sch. 2 paras. 3, 9-14, 20 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, art. 3(2)

*<sup>F19</sup>Powers of Criminal Courts Act 1973 (c. 62.)*

**Textual Amendments**

**F19** Sch. 2 paras. 21–24, 27, 28 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch. 15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, art. 3(2)

<sup>F20</sup>21 .....

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**Textual Amendments**

**F20** Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch. 15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

*Children Act 1975 (c. 72.)*

[<sup>F21</sup>22 In section 4(1) of the Children Act 1975 (approval of adoption societies) for the word “desiring” there shall be substituted—  
(a) in the first place where it occurs, the words “which is a voluntary organisation and desires”; and  
(b) in the second place where it occurs, the word “desires”.]

**Textual Amendments**

**F21** Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

<sup>F22</sup>23 .....

**Textual Amendments**

**F22** Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

<sup>F23</sup>24 .....

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**F23** Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

25 In section 51 of that Act (restriction on removal of child where applicant has provided home for three years), for the word “custody”—  
(a) where it secondly occurs in subsection (1); and  
(b) in subsection (2),  
there shall be substituted the words “care and possession”.

26 In section 52 of that Act (return of child taken away in breach of section 51) for the word “custody”, except where it first occurs, there shall be substituted the words “care and possession”.

<sup>F24</sup>27 .....

**Textual Amendments**

**F24** Sch. 2 paras. 21–24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

[<sup>F25</sup>28 In section 103 of that Act (guardians ad litem etc.)—

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- (a) in subsection (1), for the words “a panel” there shall be substituted the words “one or more panels”; and
- (b) the following subsection shall be substituted for subsection (2)—
  - “(2) Regulations under subsection (1) may provide—
    - (a) for the defrayment by local authorities of expenses incurred by members of a panel established by virtue of that subsection; and
    - (b) for the payment by local authorities of fees and allowances for members of such a panel.”]

**Textual Amendments**

**F25** Sch. 2 paras. 21-24, 27, 28 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

*Adoption Act 1976 (c. 36.)*

F26<sup>29</sup> .....

**Textual Amendments**

**F26** Sch. 2 paras. 29-33 repealed (30.12.2005) by Adoption and Children Act 2002 (c. 38), s. 148(1), Sch. 5 (with Sch. 4 paras. 2, 6-8); S.I. 2005/2897, art. 2(b)

F26<sup>30</sup> .....

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F26<sup>31</sup> .....

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F26<sup>32</sup> .....

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F26<sup>33</sup> .....

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**F27**34 .....

**Textual Amendments**

**F27** Sch. 2 paras. 34, 37, 46-49, Sch. 4 Pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F28**35 .....

**Textual Amendments**

**F28** Sch. 2 para. 35 repealed (30.12.2005) by Adoption and Children Act 2002 (c. 38), s. 148(1), **Sch. 5** (with Sch. 4 paras. 2, 6-8); S.I. 2005/2897, art. 2(b)

**F29**36 .....

**Textual Amendments**

**F29** Sch. 2 para. 36 repealed (30.12.2005) by Adoption and Children Act 2002 (c. 38), s. 148(1), **Sch. 5** (with Sch. 4 paras. 2, 6-8); S.I. 2005/2897, art. 2(b)

**F30**37 .....

**Textual Amendments**

**F30** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

*Adoption (Scotland) Act 1978 (c. 28.)*

**F31**38 .....

**Textual Amendments**

**F31** Sch. 2 paras. 38-45 repealed (S.) (28.9.2009) by Adoption and Children (Scotland) Act 2007 (asp 4), s. 121(2), **Sch. 3**; S.S.I. 2009/267, arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by S.S.I. 2012/99, art. 2); and repealed (E.W.S.) (15.7.2011) by The Adoption and Children (Scotland) Act 2007 (Consequential Modifications) Order 2011 (S.I. 2011/1740), art. 1(2), **Sch. 2 Pt. 3**

**F31**39 .....



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**F31**40 .....

**Textual Amendments**

**F31** Sch. 2 paras. 38-45 repealed (S.) (28.9.2009) by [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#), s. 121(2), **Sch. 3**; [S.S.I. 2009/267](#), arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2); and repealed (E.W.S.) (15.7.2011) by [The Adoption and Children \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/1740\)](#), art. 1(2), **Sch. 2 Pt. 3**

**F31**41 .....

**Textual Amendments**

**F31** Sch. 2 paras. 38-45 repealed (S.) (28.9.2009) by [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#), s. 121(2), **Sch. 3**; [S.S.I. 2009/267](#), arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2); and repealed (E.W.S.) (15.7.2011) by [The Adoption and Children \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/1740\)](#), art. 1(2), **Sch. 2 Pt. 3**

**F31**42 .....

**Textual Amendments**

**F31** Sch. 2 paras. 38-45 repealed (S.) (28.9.2009) by [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#), s. 121(2), **Sch. 3**; [S.S.I. 2009/267](#), arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2); and repealed (E.W.S.) (15.7.2011) by [The Adoption and Children \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/1740\)](#), art. 1(2), **Sch. 2 Pt. 3**

**F31**43 .....

**Textual Amendments**

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**F31**44 .....

**Textual Amendments**

**F31** Sch. 2 paras. 38-45 repealed (S.) (28.9.2009) by [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#), s. 121(2), **Sch. 3**; [S.S.I. 2009/267](#), arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by [S.S.I.](#)

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2012/99, art. 2); and repealed (E.W.S.) (15.7.2011) by [The Adoption and Children \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/1740\)](#), art. 1(2), **Sch. 2 Pt. 3**

F31 45 .....

**Textual Amendments**

**F31** Sch. 2 paras. 38-45 repealed (S.) (28.9.2009) by [Adoption and Children \(Scotland\) Act 2007 \(asp 4\)](#), s. 121(2), **Sch. 3**; S.S.I. 2009/267, arts. 1(2), 2 (with arts. 3-21) (as amended (7.5.2012) by S.S.I. 2012/99, art. 2); and repealed (E.W.S.) (15.7.2011) by [The Adoption and Children \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/1740\)](#), art. 1(2), **Sch. 2 Pt. 3**

F32 *Child Care Act 1980 (c. 5.)*

**Textual Amendments**

**F32** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F33 46 .....

**Textual Amendments**

**F33** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 2\)](#), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F34 47 .....

**Textual Amendments**

**F34** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 2\)](#), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F35 48 .....

**Textual Amendments**

**F35** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 2\)](#), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F36 49 .....

**Changes to legislation:** Health And Social Services And Social Security Adjudications Act 1983, SCHEDULE 2 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**Textual Amendments**

**F36** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F37**50 .....

**Textual Amendments**

**F37** Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48 and Sch. 9 para. 5 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(2)(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F38**51 .....

**Textual Amendments**

**F38** Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108((7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F39**52 .....

**Textual Amendments**

**F39** Sch. 2 paras. 34, 37, 46-49, 51-59. Sch. 4 Pt. II paras. 38-48. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F40**53 .....

**Textual Amendments**

**F40** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F41**54 .....

**Textual Amendments**

**F41** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F42**55 .....

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**Textual Amendments**

**F42** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s.108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F43**56 .....

**Textual Amendments**

**F43** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F44**57 .....

**Textual Amendments**

**F44** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F45**58 .....

**Textual Amendments**

**F45** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F46**59 .....

**Textual Amendments**

**F46** Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43. Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F47** Interpretation

**Textual Amendments**

**F47** Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48 and Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

**F48**60 The word “actual” shall be inserted before the word “custody”, wherever it occurs in—

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- (a) sections 34(1) and (2) and 34A(1) and (2) of the <sup>M4</sup>Adoption Act 1958;
- (b) sections 30(1) and (2), 41(1) and (2) and 42(1) and (2) of the <sup>M5</sup>Children Act 1975; and
- (c) sections 27(1) and (2), 28(1) and (2), 29(1) and (2) and 30(1)(a) and (b) of the <sup>M6</sup>Adoption Act 1976.]

**Textual Amendments**

**F48** Sch. 2 paras. 50, 60-62, Sch. 4 Pt. II paras. 45-48, Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1991 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

**Marginal Citations**

- M4** 1958 c. 5 (7 Eliz. 2)
- M5** 1975 c. 72.
- M6** 1976 c. 36.

[<sup>F49</sup>61 In section 57(2) of the Adoption Act 1958, for the words “care or possession”, in both places where they occur, there shall be substituted the words “actual custody”.]

**Textual Amendments**

**F49** Sch. 2 paras. 50, 60-62, Sch. 4 Pt. II paras. 45-48, Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

<sup>F50</sup>62 .....

**Textual Amendments**

**F50** Sch. 2 paras. 50, 60-62, Sch. 4 Pt. II paras. 45-48. Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 2), s. 108(7), **Sch.15** (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- [Sch. 2 para. 29 repealed by 2000 c. 14 Sch. 6](#)

**Commencement Orders yet to be applied to the Health And Social Services And Social Security Adjudications Act 1983**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2004/288 art. 2-6 commences \(2003 c. 43\)](#)
- [S.I. 2004/480 art. 2-5 commences \(2003 c. 43\)](#)
- [S.I. 2004/1009 art. 2 commences \(2003 c. 43\)](#)
- [S.I. 2004/1019 art. 2 commences \(2003 c. 43\)](#)
- [S.I. 2005/2897 art. 2 commences \(2002 c. 38\)](#)
- [S.I. 2005/2925 art. 24-11 commences \(2003 c. 43\)](#)
- [S.I. 2006/345 art. 2-7 commences \(2003 c. 43\)](#)
- [S.I. 2009/3074 art. 23 commences \(2008 c. 4\)](#)
- [S.I. 2011/849 art. 2 commences \(2010 nawm 2\)](#)
- [S.S.I. 2009/267 art. 2 commences \(2007 asp 4\)](#)