



Children and Young Persons Act 2008

2008 CHAPTER 23

PART 2

FUNCTIONS IN RELATION TO CHILDREN AND YOUNG PERSONS

Enforcement of care standards

28 Appeals etc. in relation to notices under section 22B of the 2000 Act

- (1) Section 21 of the 2000 Act (appeals to the Tribunal) is amended in accordance with subsections (2) to (5).
- (2) In subsection (1), after paragraph (b) insert “; or
(c) a notice served under section 22B(1)”.
- (3) After subsection (2) insert—

“(2A) No appeal against a notice under section 22B(1) may be brought by a person more than 28 days after the notice was served on him.”
- (4) After subsection (4) insert—

“(4A) On an appeal against a notice served under section 22B(1) the Tribunal may confirm the notice or direct that it shall cease to have effect.

(4B) If the Tribunal directs that a notice (“the first notice”) under section 22B(1) shall cease to have effect it must direct that any other notice under that section which is connected to the first notice shall also cease to have effect.

(4C) For the purposes of subsection (4B), notices are connected if they impose the requirement mentioned in section 22B(2) in relation to the same establishment.”
- (5) In subsection (5) omit “against a decision or order”.

Changes to legislation: There are currently no known outstanding effects for the
Children and Young Persons Act 2008, Section 28. (See end of Document for details)

- (6) In section 23(4) of that Act (occasions on which national minimum standards are to be taken into account)—
- (a) after paragraph (b) insert—
 - “(ba) by the registration authority in considering whether to serve a notice under section 22B;”;
 - (b) in paragraph (c) for “against such a decision or order” substitute “ under section 21 ”.

Commencement Information

- I1** [S. 28](#) in force at 1.4.2010 for E. by [S.I. 2009/3354](#), [art. 3\(2\)\(c\)](#)
I2 [S. 28](#) in force at 26.4.2010 for W. by [S.I. 2010/1329](#), [art. 2\(l\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons Act 2008, Section 28.