

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Children Act 2004 (c. 31) is up to date with all changes known to be in force on or before 26 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 5

PART 1: AMENDMENTS OF OTHER ENACTMENTS

Children Act 2004 (c. 31)

127 The Children Act 2004 is amended as follows.

Commencement Information

II Sch. 5 para. 127 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

128 In section 10 (co-operation to improve wellbeing), in subsection (4)—

- (a) after paragraph (d) insert—
 - “(da) the National Health Service Commissioning Board;”,
- (b) after paragraph (da) (as inserted by paragraph (a) above) insert—
 - “(db) any clinical commissioning group for an area any part of which falls within the area of the authority;”, and
- (c) omit paragraph (e).

Commencement Information

I2 Sch. 5 para. 128 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

129 In section 11 (arrangements to safeguard and promote welfare), in subsection (1)—

- (a) after paragraph (b) insert—
 - “(ba) the National Health Service Commissioning Board;”,
- (b) after paragraph (ba) (as inserted by paragraph (a) above) insert—
 - “(bb) a clinical commissioning group;”,
- (c) omit paragraph (c), and
- (d) omit paragraph (e).

Commencement Information

I3 Sch. 5 para. 129 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

130 In section 12A (establishment of children's trust boards), after subsection (7) at the end insert “otherwise than by virtue of section 10(4)(da) or (db)”.

Commencement Information

I4 Sch. 5 para. 130 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

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- 131 In section 13 (establishment of Local Safeguarding Children Boards), in subsection (3)—
- (a) after paragraph (d) insert—
 - “(da) the National Health Service Commissioning Board;”,
 - (b) after paragraph (da) (as inserted by paragraph (a) above) insert—
 - “(db) any clinical commissioning group for an area any part of which falls within the area of the authority;”, and
 - (c) omit paragraph (e).

Commencement Information

I5 Sch. 5 para. 131 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251 substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)