



Children and Young Persons Act 1933

1933 CHAPTER 12 23 and 24 Geo 5

PART III

PROTECTION OF CHILDREN AND YOUNG PERSONS IN
RELATION TO CRIMINAL AND SUMMARY PROCEEDINGS

Youth Courts

[^{F1}45 Constitution of Youth courts.

- (1) Magistrates' courts—
 - (a) constituted in accordance with this section or section 66 of the Courts Act 2003 (judges having powers of District Judges (Magistrates' Courts)), and
 - (b) sitting for the purpose of—
 - (i) hearing any charge against a child or young person, or
 - (ii) exercising any other jurisdiction conferred on youth courts by or under this or any other Act,are to be known as youth courts.
- (2) A justice of the peace is not qualified to sit as a member of a youth court for the purpose of dealing with any proceedings unless he has an authorisation extending to the proceedings.
- (3) He has an authorisation extending to the proceedings only if he has been authorised by the [^{F2}Lord Chief Justice, with the concurrence of the Lord Chancellor,] to sit as a member of a youth court to deal with—
 - (a) proceedings of that description, or
 - (b) all proceedings dealt with by youth courts.
- (4) The [^{F3}Lord Chief Justice may, with the concurrence of the Lord Chancellor,] by rules make provision about—
 - (a) the grant and revocation of authorisations,
 - (b) the appointment of chairmen of youth courts, and

Changes to legislation: Children and Young Persons Act 1933, Section 45 is up to date with all changes known to be in force on or before 19 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

- (c) the composition of youth courts.
- (5) Rules under subsection (4) may confer powers on the Lord Chancellor [^{F4}or Lord Chief Justice] with respect to any of the matters specified in the rules.
- (6) Rules under subsection (4) may be made only after consultation with the Criminal Procedure Rule Committee.
- (7) Rules under subsection (4) are to be made by statutory instrument.
- (8) A statutory instrument containing rules under subsection (4) is subject to annulment in pursuance of a resolution of either House of Parliament.
- [^{F5}(9) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (3) or (4) or his powers under rules under subsection (4).]]

Textual Amendments

- F1** S. 45 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), **ss. 50(1)**, 110; S.I. 2005/910, **art. 3(r)** (with savings (1.4.2005) by [The Courts Act 2003 \(Transitional Provisions, Savings and Consequential Provisions\) Order 2005 \(S.I. 2005/911\)](#), **art. 9**)
- F2** Words in s. 45(3) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 20(2)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(d)
- F3** Words in s. 45(4) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 20(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(d)
- F4** Words in s. 45(5) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 20(4)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(d)
- F5** S. 45(9) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 20(5)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(d)

Modifications etc. (not altering text)

- C1** S. 45 modified (26.1.2004) by [Courts Act 2003 \(c. 39\)](#), **ss. 66(3)**, 110; S.I. 2003/3345, **art. 2(a)(iv)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 45 amended by [1999 c. 22 Sch. 13 para. 810](#)
- s. 45 repealed in part by [1999 c. 22 Sch. 15 Pt. 5\(1\)](#)

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):

- s. 12D(1A)-(1F) inserted by [2017 anaw 2 s. 51](#)
- s. 39(2A) inserted by [2010 c. 26 Sch. 3 para. 3](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; S.I. 2013/2200 art. 2(a))
- s. 49(12)-(14) inserted by [1999 c. 23 Sch. 2 para. 3\(9\)](#)