
STATUTORY INSTRUMENTS

1996 No. 692

CHILDREN AND YOUNG PERSONS

**The Children (Homes and Secure Accommodation)
(Miscellaneous Amendments) Regulations 1996**

<i>Made</i>	- - - -	<i>11th March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State for Health, in exercise of powers conferred by section 104(4) of, and paragraph 4(1) and (2) of Schedule 4 to, the Children Act 1989⁽¹⁾ and all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Children (Homes and Secure Accommodation) (Miscellaneous Amendments) Regulations 1996 and shall come into force on 1st April 1996.

(2) In these Regulations—

“the principal Regulations” means the Children’s Homes Regulations 1991;⁽²⁾ and

“the Secure Accommodation Regulations” means the Secure Accommodation Regulations 1991.⁽³⁾

Amendment of regulation 2 of the principal Regulations

2. In regulation 2 of the principal Regulations (interpretation) for the definition of “maintained community home” there shall be substituted the following definition—

““maintained community home” means a community home provided, equipped and maintained by a local authority pursuant to section 53(3)(a) of the Act (provision of community homes by local authorities) and managed—

(i) by that authority pursuant to that section,

(1) 1989 c. 41.

(2) S.I.1991/1506.

(3) S.I. 1991/1505; the relevant amending instruments are S.I. 1992/2117 and 1995/1398.

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- (ii) by, or by the employees of, a person authorised in that behalf by a local authority pursuant to the Contracting Out (Management Functions in relation to certain Community Homes) Order 1996⁽⁴⁾, or
- (iii) where an arrangement has been made by a local authority with another person in accordance with section 53(3A) of the Act⁽⁵⁾, by that person⁽⁶⁾;

Amendment of the Secure Accommodation Regulations

3. In regulation 17 of the Secure Accommodation Regulations (records to be kept in respect of a child in secure accommodation etc.)⁽⁶⁾—

- (a) for the words “the local authority which manages” there shall be substituted the words “the person, organisation or local authority which manages”, and
- (b) in paragraph (b), for the words “any other local authority” there shall be substituted the words “the local authority”.

Signed by authority of the Secretary of State for Health

11th March 1996

John Bowis
Parliamentary Under Secretary of State
Department of Health

⁽⁴⁾ S.I. 1996/586.

⁽⁵⁾ Subsection (3A) was inserted into section 53 by section 22 of the Criminal Justice and Public Order Act 1994 (c. 33) with effect from 8th March 1996.

⁽⁶⁾ S.I. 1991/1505 as amended by S.I. 1995/1398.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend both the Children’s Homes Regulations 1991 (“the principal Regulations”) and the Secure Accommodation Regulations 1991.

In the principal Regulations the definition of the term “maintained community home” is amended so that it includes references to such homes managed by local authorities, by persons authorised by local authorities or, in relation to secure accommodation, by other persons with whom local authorities have made arrangements to manage that accommodation.

In the Secure Accommodation Regulations 1991 the requirements relating to the keeping of records in respect of children in secure accommodation are extended to apply to other persons or organisations managing such accommodation.