

## SCHEDULE 1

Regulation 4(2)

### ORDERS ETC. RELATING TO THE CARE OF CHILDREN

1. An order under section 31(1)(a) of the 1989 Act (care order).
2. An order under article 50(1)(a) of the Children (Northern Ireland) Order 1995 (care order)(1).
3. An order under section 3(3) of the Children and Young Persons (Guernsey) Law 1967 (fit person order or special care order)(2).
4. An order made further to an application as permitted under section 48(3) of the Children (Guernsey and Alderney) Law 2009 (community parenting order)(3).
5. An order under section 31(1)(a) of the Children and Young Persons Act 2001 (an Act of Tynwald)(4).
6. An order or determination specified in Schedule 4 to the Children (Jersey) Law 2002(5).
7. Any order that would have been deemed to be a care order by virtue of paragraph 15 of Schedule 14 to the 1989 Act (transitional provisions for children in compulsory care) had it been in force immediately before the day on which Part 4 of the 1989 Act came into force(6).
8. A supervision order which imposes a residence requirement under paragraph 5 of Schedule 6 to the Powers of Criminal Courts (Sentencing) Act 2000(7) or section 12AA of the Children and Young Persons Act 1969 (requirement to live in local authority accommodation)(8).
9. A fit person order, a parental rights order or a training school order under the Children and Young Persons Act (Northern Ireland) 1968(9).
10. A child protection order under section 57 of the Children (Scotland) Act 1995(10).
11. An exclusion order under section 76 of the Children (Scotland) Act 1995(11).
12. A supervision order which imposes a residence requirement under paragraph 5 of Schedule 9 to the Children and Young Persons Act 2001 (an Act of Tynwald) (requirement to live in accommodation provided by the Department of Health and Social Security).
13. An order made at any time imposing a supervision requirement with respect to a child so as to remove that child from P's care, under—
  - (a) section 44 of the Social Work (Scotland) Act 1968(12); or
  - (b) section 70 of the Children (Scotland) Act 1995(13).
14. An order made at any time vesting P's rights and powers with respect to a child in a local authority in Scotland—

(1) [S.I. 1995/755 \(N.I.2\)](#).

(2) Orders in Council Volume XXI p.34. Section 3 was amended by the Children and Young Persons (Amendment) (Guernsey) Law 1971, Volume XXIII p.3 and by the Juvenile Court (Guernsey) Law 1989, Volume XXXI p.326.

(3) Order in Council No.XIV of 2009.

(4) 2001 c. 20 (Isle of Man).

(5) Jersey Law 50/2002.

(6) Part 4 of the 1989 Act came into force on 14th October 1991.

(7) [2000 c. 6](#).

(8) [1969 c. 54](#). Section 12AA was inserted by the 1989 Act and was repealed by the Powers of Criminal Courts (Sentencing) Act 2000.

(9) [1968 c. 34 \(N.I.\)](#). The provisions relating to these orders were repealed by the Children (Northern Ireland) Order 1995 and the Criminal Justice (Children) (Northern Ireland) Order 1998 ([S.I. 1998/1504 \(N.I.9\)](#)).

(10) [1995 c. 36](#).

(11) Section 76 was repealed (in part) by [S.S.I. 2003/583](#).

(12) [1968 c. 49](#). Section 44 was repealed by the Children (Scotland) Act 1995.

(13) Section 70 was amended by sections 135 and 136 of the Antisocial Behaviour etc. (Scotland) Act 2004 ([asp 8](#)).

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (a) under section 16 of the Social Work (Scotland) Act 1968(14); or
- (b) pursuant to a parental responsibilities order under section 86 of the Children (Scotland) Act 1995(15).

**15.** In relation to registration of a children's home—

- (a) a refusal of P's application for registration under section 13 of the Care Standards Act 2000;
- (b) cancellation of P's registration under section 14 or 20(1) of the Care Standards Act 2000;
- (c) cancellation of the registration of any person under section 14 or 20(1) of the Care Standards Act 2000 in relation to a children's home which P has been concerned in the management of, or had any financial interest in; or
- (d) refusal of P's application for registration or cancellation of P's registration under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003(16).

**16.** Refusal at any time of P's application for registration in relation to a voluntary home or a children's home, or cancellation of the registration of a voluntary home or children's home which was carried on by P or which P was otherwise concerned with the management of, or had any financial interest in, under, as the case may be—

- (a) paragraph 1 of Schedule 5 to the 1989 Act(17);
- (b) paragraph 1 or 4 of Schedule 6 to the 1989 Act;
- (c) section 127 of the Children and Young Persons Act (Northern Ireland) 1968(18);
- (d) article 80, 82, 96 or 98 of the Children (Northern Ireland) Order 1995;
- (e) Part 1 of the Regulation of Care (Scotland) Act 2001(19) (care home services); or
- (f) paragraph 2 or 4 of Schedule 2 to the Children and Young Persons Act 2001 (an Act of Tynwald).

**17.** A prohibition imposed at any time under—

- (a) section 69 of the 1989 Act, section 10 of the Foster Children Act 1980(20) or section 4 of the Children Act 1958 (power to prohibit private fostering)(21);
- (b) article 110 of the Children (Northern Ireland) Order 1995 (power to prohibit private fostering);
- (c) section 10 of the Foster Children (Scotland) Act 1984 (power to prohibit the keeping of foster children)(22);or
- (d) section 59 of the Children and Young Persons Act 2001 (an Act of Tynwald) (power to prohibit or impose restrictions upon private fostering).

**18.** A notice in writing given by a Health and Social Services Board under section 1(3) of the Children and Young Persons Act (Northern Ireland) 1968 (withholding consent to the care and maintenance of the child being undertaken by a person).

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(14) Section 16 was repealed by the Children (Scotland) Act 1995.

(15) Section 86 was amended by paragraphs 83 and 84 of Schedule 3 to the Adoption and Children Act 2002 (c. 38).

(16) S.I. 2003/431 (N.I.9).

(17) This provision, and those mentioned in paragraph (b) were repealed by the Care Standards Act 2000 with effect from 1st April 2002.

(18) This section was repealed by the Children (Northern Ireland) Order 1995.

(19) 2001 asp 8.

(20) 1980 c. 6. The Foster Children Act 1980 was repealed by the 1989 Act.

(21) 1958 c. 65. Section 4 was repealed by the Foster Children Act 1980.

(22) 1984 c.56 (S.).

**19.** Refusal at any time of registration in respect of the provision of nurseries, day care, child minding or other provision of childcare, disqualification from such registration or cancellation of any such registration under—

- (a) section 1 or section 5 of the Nurseries and Child-Minders Regulation Act 1948**(23)**;
- (b) Part 10 or Part 10A of the 1989 Act**(24)**;
- (c) Chapter 2, 3 or 4 of Part 3 of the Act;
- (d) Part XI of the Children (Northern Ireland) Order 1995;
- (e) section 11(5) or section 15 of the Children and Young Persons Act (Northern Ireland) 1968;
- (f) Part 1 of the Regulation of Care (Scotland) Act 2001;
- (g) section 1 of the Nurseries and Child Minders Regulation Act 1974 (an Act of Tynwald);
- (h) section 65 or 66 of, or Schedule 7 to, the Children and Young Persons Act 2001 (an Act of Tynwald); or
- (i) Part III of the Child Protection (Guernsey) Law 1972**(25)**.

**20.** Disqualification from working with children at any time under the Protection of Children (Scotland) Act 2003**(26)**.

**21.** Refusal at any time of P's application for registration or cancellation of P's registration under section 62 of the Social Work (Scotland) Act 1968 (registration of residential and other establishments)**(27)**.

**22.** Refusal at any time of P's application for registration as a provider of a child care agency under section 7 of the Regulation of Care (Scotland) Act 2001 or cancellation of any such registration under section 12 or 18 of that Act.

**23.** Inclusion of P's name at any time on a list of persons unsuitable to work with children under article 3 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003**(28)** or disqualification from working with children under Chapter II of Part II of that Order.

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**(23)** [1948 c.53 \(S.\)](#). That Act was repealed by the 1989 Act.

**(24)** Part 10 of the Children Act 1989 ceased to apply to England in 2001. Part 10A was inserted by the Care Standards Act 2000 ([c. 14](#)) and ceased to apply in England on 1st September 2008. Part 10 was repealed in relation to Scotland by Schedule 4 to the Regulation of Care (Scotland) Act 2001 ([asp 8](#)) with effect from 1st April 2002.

**(25)** Orders in Council Volume XXIII p.238 as amended by the Children and Young Persons (Amendment) (Guernsey) Law 2000, Order in Council No. III of 2001.

**(26)** [2003 asp 5](#).

**(27)** Section 62 was repealed by paragraph 1 of Schedule 4 to the Regulation of Care (Scotland) Act 2001.

**(28)** [S.I. 2003/417 \(N.I.4\)](#).