STATUTORY INSTRUMENTS

1983 No. 1860

CHILDREN AND YOUNG PERSONS

The Access (Notice of Termination and of Refusal) Order 1983

Made - - - -	*15th December* 1983
Laid before Parliament	*16th December* 1983
Coming into Operation	*30th January* 1984

The Secretary of State for Social Services in exercise of the powers conferred on him by Section 12B(1) of the Child Care Act 1980(**a**) and in exercise of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Access (Notice of Termination and of Refusal) Order 1983 and shall come into operation on 30 January 1984.

(2) In this Order the expression "the 1980 Act" means the Child Care Act 1980.

Form of Notice

2.—(1) The form of notice to be given to a parent, guardian or custodian by a local authority or voluntary organisation of termination of arrangements for access to a child, to whom Part 1A of the 1980 Act applies, shall be form 1 in the schedule to this Order.

(2) The form of notice to be given to a parent, guardian or custodian by a local authority or voluntary organisation of refusal to make arrangements for access to a child, to whom Part 1A of the 1980 Act applies, shall be form 2 in the schedule to this Order.

Signed by authority of the Secretary of State for Social Services.

Tony Newton,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

15th December 1983.

(**a**) 1980 c. 5; section 12B was inserted by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 1, paragraph 1.

Article 2

SCHEDULE

FORM 1

NOTICE OF TERMINATION OF ARRANGEMENTS FOR ACCESS

CHILD CARE ACT 1980: SECTION 12B

FROM: [LOCAL AUTHORITY/VOLUNTARY ORGANISATION]

TO: [NAME OF PARENT/GUARDIAN/CUSTODIAN]

NAME OF CHILD:

.....[Name of child] of whom you are the.....[parent/guardian/custodian] is in the care of this.....[authority/organisation]. The purpose of this notice is to advise you that the.....[authority/organisation] have decided that the arrangements for you to have access to.....[name of child] should be terminated. Your access will be terminated from the date this notice is served on you. You have a right under section 12C of the Child Care Act 1980 to apply to the juvenile court at.....[name of court] for an order granting you access to.....[name of child].

The application must be made within six months of the date this notice is served on you. If you wish to apply to the court for an order granting you access or if you need any help in connection with this notice, you are advised to seek legal advice as soon as possible. Depending on your financial circumstances, you may be entitled to free or low-cost help under the Legal Aid or Legal Advice and Assistance schemes. Your local Citizens Advice Bureau will be able to give you the names of solicitors in the area who operate these schemes.

Dated

.....
[signed]
An officer authorised to sign on behalf of the local authority/voluntary organisation.

FORM 2

NOTICE OF REFUSAL OF ARRANGEMENTS FOR ACCESS

CHILD CARE ACT 1980: SECTION 12B

FROM: [LOCAL AUTHORITY/VOLUNTARY ORGANISATION]

TO: [NAME OF PARENT/GUARDIAN/CUSTODIAN]

NAME OF CHILD:

.....[Name of child] of whom you are the.....[parent/guardian/custodian] is in the care of this.....[authority/organisation]. The purpose of this notice is to advise you that the.....[authority/organisation] have decided that your request for arrangements for access to.....[name of child] should be refused. You have a right under section 12C of the Child Care Act 1980 to apply to the juvenile court at.....[name of court] for an order granting you access to.....[name of child].
The application must be made within six months of the date this notice is served on you. If you wish to apply to the court for an order granting you access or if you need any help in connection with this notice, you are advised to seek legal advice as soon as possible. Depending on your financial circumstances, you may be entitled to free or low-cost help under the Legal Aid or Legal Advice and Assistance schemes. Your local Citizens Advice Bureau will be able to give you the names of solicitors in the area who operate these schemes.

Dated .....
[signed]
An officer authorised to sign on behalf of the local authority/voluntary organisation.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prescribes the form of notice to be given by local authorities and voluntary organisations in England and Wales to a parent, guardian or custodian of termination of arrangements for access to a child to whom part 1A of the Child Care Act 1980 applies (as inserted by paragraph 1 of Schedule 1 to the Health and Social Services and Social Security Adjudications Act 1983). The Order also prescribes the form of notice to be given to the parent, guardian or custodian by local authorities and voluntary organisations of refusal to make such arrangements.

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