STATUTORY INSTRUMENTS

1973 No. 485

CHILDREN AND YOUNG PERSONS

The Children and Young Persons Act 1969 (Transitional Modifications of Part I) (Amendment) Order 1973

Laid before Parliament in draft

Made - - - 15*th March* 1973

Coming into Operation 1*st April* 1973

In exercise of the powers conferred upon me by section 34 of the Children and Young Persons Act 1969(**a**), I hereby make the following Order:—

1. This Order may be cited as the Children and Young Persons Act 1969 (Transitional Modifications of Part I) (Amendment) Order 1973 and shall come into operation on 1st April 1973.

2. In this Order "the Act" means the Children and Young Persons Act 1969 and "the principal Order" means the Children and Young Persons Act 1969 (Transitional Modifications of Part I) Order 1970(**b**).

3. For Article 3 of the principal Order (modification of references to a child in sections 13(2) and 28(4) and (5) of the Act) there shall be substituted the following Article:—

"3.—(1) Any reference to a child in section 13(2) (selection of supervisor) of the Act shall be construed as excluding a child who has attained the age of 12 years.

(2) Any reference to a child in section 28(4) or (5) (detention of children and young persons by constables) of the Act shall be construed as excluding a child who has attained the age of 10 years.".

4. In Article 5 of the principal Order (specified age for the purposes of section 34(2) and (3) of the Act) for the age "10 years" there shall be substituted the age "12 years".

Robert Carr,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
15th March 1973.

(**a**) 1969 c. 54.

(**b**) S.I. 1970/1882 (1970 III, p. 6221).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Children and Young Persons Act 1969 (Transitional Modifications of Part I) Order 1970.

Article 3 raises from 10 to 12 years the age above which the restrictions contained in section 13(2) of the Children and Young Persons Act 1969 on placing a child under the supervision of a probation officer shall not apply.

Article 4 raises from 10 to 12 years the specified age for the purposes of section 34(2) and (3) of the Act. As modified, section 34(2) and (3) provides that where care or criminal proceedings are brought in the case of a child over 12 or a young person, prior notice must be given to a probation officer and that, where arrangements have been made for a probation officer to make enquiries into the child's or young person's home surroundings, the local authority shall be relieved of their duty under section 9(1) to make those enquiries.

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