STATUTORY INSTRUMENTS

2001 No. 744

CHILDREN AND YOUNG PERSONS, ENGLAND AND WALES

The Protection of Children (Access to Lists) (Prescribed Individuals) (Amendment) Regulations 2001

Made - - - - *8th March 2001*

Laid before Parliament *8th March 2001*

Coming into force in accordance with regulation 1(2)

The Secretary of State, in exercise of the powers conferred upon him by section 103(2)(b) of the Care Standards Act 2000**(a)**, having consulted the National Assembly for Wales in accordance with 80(8) of that Act, hereby makes the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Protection of Children (Access to Lists) (Prescribed Individuals) (Amendment) Regulations 2001.

(2) These Regulations shall come into force—

(a) in England, on 1st April 2001;

(b) in Wales, immediately after the coming into force, in relation to Wales, of section 98 of the Care Standards Act 2000.

Amendment of the Protection of Children (Access to Lists) (Prescribed Individuals) Regulations 2000

2.—(1) The Protection of Children (Access to Lists) (Prescribed Individuals) Regulations 2000**(b)** are amended in accordance with the following provisions of this Regulation.

(2) In regulation 1(2), for the words from "and" to the end, there is substituted—

"(b) "local authority" has the same meaning as in the Protection of Children Act 1999**(c)**;

(c) "prospective adopter" has the same meaning as in regulation 1(3) of the Adoption Agencies Regulations."

(3) For regulation 2 there is substituted—

"2. For the purposes of section 103(2)(b) of the Care Standards Act 2000, the following are prescribed descriptions of individual—

(a) 2000 c. 14.
(b) S.I. 2000/2537.
(c) 1999 c. 14.

(a) a prospective adopter whose suitability to adopt a child is being considered pursuant to regulation 8(1) of the Adoption Agencies Regulations; and

(b) an individual in relation to whom a local authority is required under section 7(1A) of the Protection of Children Act 1999 (as inserted by section 98(2) of the Care Standards Act 2000) to ascertain whether he is included in any of the lists mentioned in section 7(1) of that Act."

Signed by authority of the Secretary of State for Health

John Hutton
Minister of State
Department of Health

8th March 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Protection of Children (Access to Lists) (Prescribed Individuals) Regulations 2000 (S.I. 2000/2537) so as to prescribe, as a description of individual for the purposes of section 103(2)(b) of the Care Standards Act 2000 (c. 14), an individual whom a local authority must, under section 7(1A) of the Protection of Children Act 1999 (c. 14), check for inclusion in any of the lists mentioned in section 7(1) of that Act (regulation 2(3)). Before the commencement of section 8 of the Protection of Children Act 1999 (c. 14), a local authority is entitled, upon making an application to the Secretary of State, to information as to whether the individual is included in any of the lists.

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