



**Isle of Man**

*Ellan Vannin*

**AT 5 of 1966**

**CHILDREN AND YOUNG PERSONS ACT  
1966**





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## CHILDREN AND YOUNG PERSONS ACT 1966

<i>Received Royal Assent:</i>	28 July 1966
<i>Passed:</i>	18 October 1966
<i>Commenced:</i>	18 October 1966

AN ACT to consolidate and revise the Children Acts 1910 to 1953.

**GENERAL NOTE:** The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993 s 1*.

### PART 1 – PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER

#### *Offences*

#### **1 Cruelty to persons under sixteen**

[1933/1]

- (1) If any person who has attained the age of sixteen years and has responsibility for any child or young person under that age, wilfully assaults, ill-treats, neglects, abandons, or exposes him, or causes or procures him to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of a misdemeanour, and shall be liable —
  - (a) on conviction on indictment, to a fine or alternatively, or in addition thereto, to imprisonment for any term not exceeding two years;<sup>1</sup>
  - (b) on summary conviction, to a fine not exceeding £5,000, or alternatively, or in addition thereto, to imprisonment for any term not exceeding six months.<sup>2</sup>
- (2) For the purposes of this section —

- (a) a parent or other person legally liable to maintain a child or young person, or the guardian of a child or young person, shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided under any enactment relating to social security or social services or, in the case of a child under the age of seven years, leaves that child without adequate supervision for an unreasonable length of time unless he proves that he has good cause so to do.<sup>3</sup>
- (b) where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air passages of the infant) while the infant was in bed with some other person who has attained the age of sixteen years that other person shall, if he was, when he went to bed, under the influence of drink, be deemed to have neglected the infant in a manner likely to cause injury to its health.
- (3) A person may be convicted of an offence under this section —
- (a) notwithstanding that actual suffering or injury to health, or the likelihood of actual suffering or injury to health, was obviated by the action of another person;
- (b) notwithstanding the death of the child or young person in question.
- (4) Upon the trial of any person who has attained the age of sixteen years and is indicted for infanticide or for the manslaughter of a child or young person under the age of sixteen years of whom he had the custody, charge, or care, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section to find him guilty of that offence.
- (5) If it is proved that a person convicted under this section was directly or indirectly interested in any sum of money accruing or payable in the event of the death of the child or young person, and had knowledge that the sum of money was accruing or becoming payable, then —
- (a) in the case of a conviction on indictment, the court shall have power, in lieu of awarding any other penalty under this section, to sentence the person convicted to penal servitude for any term not exceeding five years; and<sup>4</sup>
- (b) in the case of a summary conviction, the court in determining the sentence to be awarded shall take into consideration the fact that the person was so interested and had such knowledge.
- (6) For the purposes of the last foregoing subsection —

- (a) a person shall be deemed to be directly or indirectly interested in a sum of money if he has any share in or any benefit from the payment of that money, notwithstanding that he may not be a person to whom it is legally payable;
  - (b) a copy of a policy of insurance, certified to be a true copy by an officer or agent of the insurance company granting the policy, shall be evidence that the child or young person therein stated to be insured has in fact been so insured, and that the person in whose favour the policy has been granted is the person to whom the money thereby insured is legally payable.
- (7) Nothing in this section shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him.

## 2 [Repealed]<sup>5</sup>

## 3 **Allowing persons under 16 to be in brothels**

[1933/3]

- (1) If any person having responsibility for a child or young person who has attained the age of four years and is under the age of sixteen years, allows that child or young person to reside in or to frequent a brothel, he shall be guilty of a misdemeanour and shall be liable on conviction on indictment, or on summary conviction, to a fine not exceeding £2,500, or alternatively or in addition thereto, to imprisonment for any term not exceeding six months.<sup>6</sup>
- (2) [Repealed]<sup>7</sup>

## 4 **Causing or allowing persons under sixteen to be used for begging**

[1933/4]

- (1) If any person causes or procures any child or young person under the age of sixteen years or, having responsibility for such a child or young person, allows him to be in any street, premises or place for the purpose of begging or receiving alms, or of inducing the giving of alms (whether or not there is any pretence of singing, playing, performing, offering anything for sale, or otherwise) he shall, on summary conviction, be liable to a fine not exceeding £500, or alternatively, or in addition thereto, to imprisonment for any term not exceeding three months.<sup>8</sup>
- (2) If a person having the custody, charge, or care of a child or young person is charged with an offence under this section, and it is proved that the child or young person was in any street, premises, or place for any such purpose as aforesaid, and that the person charged allowed the child or young person to be in the street, premises, or place, he shall be presumed

to have allowed him to be in the street, premises, or place for that purpose unless the contrary is proved.

- (3) If any person while singing, playing, performing or offering anything for sale in a street or public place has with him a child who has been lent or hired out to him, the child shall, for the purposes of this section, be deemed to be in that street or place for the purpose of inducing the giving of alms.

## 5 Giving intoxicating liquor to children under five

[1933/5]

If any person gives, or causes to be given, to any child under the age of five years any liquor (within the meaning of the *Licensing Act 1995*), except upon the order of a duly qualified medical practitioner, or in case of sickness, apprehended sickness, or other urgent cause, he shall, on summary conviction, be liable to a fine not exceeding £200.<sup>9</sup>

## 6 Sale of tobacco etc, to persons under eighteen

[1933/6]

- (1) Any person who sells to a person under the age of eighteen years any tobacco or cigarette papers, whether for his own use or not, shall be liable, on summary conviction to a fine not exceeding £1,000.<sup>10</sup>
- (1A) Any person who knowingly acts as an agent for a person under the age of eighteen years in the purchase of any tobacco or cigarette papers, shall be liable, on summary conviction to a fine not exceeding £2,500.<sup>11</sup>
- (1B) Any person who knowingly supplies tobacco or cigarette papers to a person under the age of eighteen years for his own use shall be liable, on summary conviction to a fine not exceeding £2,500.<sup>12</sup>
- (1C) In proceedings against a person for an offence under subsection (1B), it is a defence for him to satisfy the court that he is the parent or guardian of the person to whom the tobacco or cigarette papers were supplied and that the supply took place in private.<sup>13</sup>
- (2) [Repealed]<sup>14</sup>
- (3) It shall be the duty of a constable to seize any tobacco or cigarette papers in the possession of any person apparently under the age of eighteen years whom he finds smoking in any street or public place, and any tobacco or cigarette papers so seized shall be disposed of, if seized by a constable, in such manner as the Chief Constable may direct.<sup>15</sup>
- (4) Nothing in this section shall make it an offence to sell tobacco or cigarette papers to, or shall authorise the seizure of tobacco or cigarette papers in the possession of, any person who is at the time employed by a manufacturer of or dealer in tobacco, either wholesale or retail, for the



purposes of his business, or is a boy messenger in uniform in the employment of a messenger company and employed as such at the time.

- (4A) It shall be a defence for a person charged with an offence under subsection (1) to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.<sup>16</sup>
- (5) For the purposes of this section the expression “tobacco” includes cigarettes and smoking mixtures intended as a substitute for tobacco, and the expression “cigarettes” includes cut tobacco rolled up in paper, tobacco leaf, or other material in such form as to be capable of immediate use for smoking.

### 6A Sale of unpackaged cigarettes

- (1) It shall be an offence for any person carrying on a retail business to sell cigarettes to any person other than in pre-packed quantities of 10 or more cigarettes in their original package.
- (2) Any person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding £1,000.
- (3) In this section “original package” means the package in which the cigarettes were supplied for the purpose of retail sale by the manufacturer, wholesaler or importer; and “package” means any box, carton or other container.<sup>17</sup>

### 6B Display of warning statements in retail premises and on vending machines

- (1) A notice displaying the following statement —
- “IT IS ILLEGAL TO SELL TOBACCO PRODUCTS TO ANYONE UNDER THE AGE OF 18”**
- shall be exhibited at every premises at which tobacco is sold by retail, and shall be so exhibited in a prominent position where the statement is readily visible to persons at the point of sale of the tobacco.
- (2) Where —
- (a) any person carries on a business involving the sale of tobacco by retail at any premises, and
- (b) no notice is exhibited at those premises in accordance with subsection (1),
- that person shall be guilty of an offence.
- (3) [Repealed]<sup>18</sup>
- (4) [Repealed]<sup>19</sup>

- (5) The dimensions of the notice to be exhibited in accordance with subsection (1), and the size of the statement to be displayed on it, shall be such as may be prescribed by regulations made by the Isle of Man Office of Fair Trading.<sup>20</sup>
- (6) Any person guilty of an offence under subsection (2) shall be liable on summary conviction to a fine not exceeding £2,500.<sup>21</sup>
- (7) It shall be a defence for a person charged with any such offence to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (8) In this section —  
“premises” includes any place and any vehicle, vessel, aircraft, hovercraft, stall or moveable structure; and  
“tobacco” (except where it appears in the statement required by subsection (1)) has the same meaning as in section 6 of this Act.
- (9) Regulations under this section shall be laid before Tynwald.<sup>22</sup>

### **6C Offence to supply intoxicating substance**

- (1) It is an offence for a person to supply or offer to supply a substance other than a controlled drug —
  - (a) to a person under the age of 18; or
  - (b) to a person who is acting on behalf of a person under that age;if he knows or suspects that the substance is, or its fumes are, likely to be inhaled for the purpose of causing intoxication.
- (2) It shall be a defence for a person charged with an offence under subsection (1) to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (3) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding £5,000 or to both.
- (4) In this section “controlled drug” has the same meaning as in the *Misuse of Drugs Act 1976*.<sup>23</sup>

### **6D Enforcement action by Isle of Man Office of Fair Trading**

- (1) The functions of the Isle of Man Office of Fair Trading include —
  - (a) the bringing of prosecutions in respect of offences under sections 6, 6A, 6B and 6C;
  - (b) the investigation of complaints in respect of alleged offences under those sections;

- (c) the taking of other measures intended to reduce the incidence of offences under those sections;
  - (d) [Repealed]<sup>24</sup>
- (2) The following provisions of the *Consumer Protection (Trade Descriptions) Act 1970* apply in relation to the enforcement of sections 6, 6A, 6B and 6C of this Act by the Isle of Man Office of Fair Trading as they apply in relation to the enforcement of that Act –
- (a) section 27 (power to make test purchases),
  - (b) section 28 (power to enter premises and inspect and seize goods and documents),
  - (c) section 29 (obstruction of inspectors), and
  - (d) section 33 (compensation for loss, etc. of goods seized under section 28),

and in the application of those sections for the purposes of this section, references in those sections to “an inspector” shall include a person authorised in writing by the Isle of Man Office of Fair Trading for the purpose.<sup>25</sup>

## **6E Offences by bodies corporate**

- (1) Where an offence under section 6, 6A, 6B or 6C is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (3) For the purposes of subsection (1), “body corporate” includes a limited liability company constituted under the *Limited Liability Companies Act 1996* and, in relation to such a company, any reference to a director, or other officer of a body corporate is a reference to a member and to the company’s manager and registered agent.<sup>26</sup>

## **7 Purchase or pledge of second-hand property from child or young person**

[MX 1953/36]

If any person shall purchase or take in pledge from any other person apparently under the age of eighteen years any used or second-hand wearing apparel apparently intended for the use of a child or young person, whether offered for

sale or in pledge by that person on his own behalf or on behalf of any other person, he shall, unless he shall satisfy the court that he has made reasonable enquiries to satisfy himself that such other person was entitled to sell or pledge such used or second-hand wearing apparel, be liable on summary conviction to a fine not exceeding £500.<sup>27</sup>

## **8 Vagrants preventing children from receiving education**

[1933/10]

- (1) If a person habitually wanders from place to place and takes with him any child who has attained the age of five years he shall unless he proves that the child is not by being so taken with him prevented from receiving efficient full-time education suitable to his age, ability and aptitude, be liable on summary conviction to a fine not exceeding £200 or to imprisonment for a term not exceeding one month, or to both.<sup>28</sup>
- (1A) Proceedings for an offence under this section shall not be instituted except by the Department of Education, Sport and Culture.<sup>29</sup>
- (2) [Repealed]<sup>30</sup>
- (3) Where in any proceedings for an offence against this section it is proved that the parent or guardian of the child is engaged in any trade or business of such a nature as to require him to travel from place to place, the person against whom the proceedings were brought shall be acquitted if it is proved that the child has attended a school at which he was a registered pupil as regularly as the nature of the trade or business of the parent or guardian permits.<sup>31</sup>
- (4) The Department of Education, Sport and Culture shall have power to make regulations as to the issue of certificates of attendance for the purposes of the last foregoing subsection, and any such regulations shall be laid before Tynwald as soon as may be after they are made.<sup>32</sup>

## **9 Exposing children under twelve to risk of burning**

[1933/11]

If any person who has attained the age of sixteen years, having responsibility for any child under the age of twelve years, allows the child to be in any room containing an open fire grate or any heating appliance liable to cause injury to persons by contact therewith, not sufficiently protected to guard against the risk of the child being burnt or scalded without taking reasonable precautions against that risk, and by reason thereof the child is killed or suffers serious injury, he shall on summary conviction be liable to a fine not exceeding £1,000:

Provided that neither this section, nor any proceedings taken thereunder, shall affect any liability of any such person to be proceeded against by indictment for any indictable offence.<sup>33</sup>

**10 Failing to provide for safety of children at entertainments**

[1933/12]

- (1) Where there is provided in any building an entertainment for children, or an entertainment at which the majority of the persons attending are children, then, if the number of children attending the entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and to take all other reasonable precautions for the safety of the children.
- (2) Where the occupier of a building permits, for hire or reward, the building to be used for the purpose of an entertainment, he shall take all reasonable steps to secure the observance of the provisions of this section.
- (3) If any person on whom any obligation is imposed by this section fails to fulfil that obligation, he shall be liable, on summary conviction, to a fine not exceeding £1,000, and also, if the building in which the entertainment is given is licensed under the *Cinematograph Act, 1925*, or under any of the enactments relating to the licensing of theatres and of houses and other places for music or dancing, the licence shall be liable to be revoked by the authority by whom the licence was granted.<sup>34</sup>
- (4) A constable may enter any building in which he has reason to believe that such an entertainment as aforesaid is being, or is about to be, provided, with a view to seeing whether the provisions of this section are carried into effect, and an officer authorised for the purpose by an authority by whom licences are granted under any of the enactments referred to in the last foregoing subsection shall have the like power of entering any building so licensed by that authority.
- (5) The institution of proceedings under this section shall be the duty of the Chief Constable or any Inspector of the Police.
- (6) This section shall not apply to any entertainment given in a private dwelling-house.

*Special provisions as to prosecutions for offences specified in First Schedule*

**11 [Repealed]**<sup>35</sup>

**12 Mode of charging offences and limitation of time**

[1933/14]

- (1) Where a person is charged with committing any of the offences mentioned in the First Schedule to this Act in respect of two or more children or young persons, the same information or summons may charge the offence in respect of all or any of them, but the person charged shall not, if he is summarily convicted, be liable to a separate penalty in respect of each child or young person except upon separate informations or summonses.
- (2) The same information or summons may also charge any person as having the custody, charge, or care, alternatively or together, and may charge him with the offences of assault, ill-treatment, neglect, abandonment, or exposure, together or separately, and may charge him with committing all or any of those offences in a manner likely to cause unnecessary suffering or injury to health, alternatively or together, but when those offences are charged together, the person charged shall not, if he is summarily convicted, be liable to a separate penalty for each.
- (3) [Repealed]<sup>36</sup>
- (4) When any offence mentioned in the First Schedule to this Act charged against any person is a continuous offence, it shall not be necessary to specify in the information, summons, or indictment, the date of the acts constituting the offence.

**13 [Repealed]**<sup>37</sup>

**14 Interpretation of Part I**

[1933/17]

- (1) For the purposes of this part of this Act the following shall be presumed to have responsibility for a child or young persons —
  - (a) any person who has parental responsibility for him (within the meaning of the *Children and Young Persons Act 2001*), or is otherwise legally liable to maintain him;<sup>38</sup>
  - (b) any person who has taken over his care from a person falling within paragraph (a); and
  - (c) any person who has actual care of him.
- (2) A person who is presumed to have responsibility for a child or young person by virtue of subsection (1)(a) shall not be taken to have ceased to

have responsibility for him by reason only that he does not have actual care of him.<sup>39</sup>

## PART 2

15 to 17 [Repealed]<sup>40</sup>

18 [Repealed]<sup>41</sup>

19 to 23 [Repealed]<sup>42</sup>

24 and 25 [Repealed]<sup>43</sup>

## PARTS 3 TO 7

26 to 105 [Repealed]<sup>44</sup>

## PART 8 – MISCELLANEOUS AND GENERAL

### 106 Institution of proceedings

[1933/98]

- (1) Except as otherwise provided in this Act, the Chief Constable, Inspector or Sergeant of the police, the Department or a local authority, may institute proceedings for any offence under this Act or any bye-law made thereunder.<sup>45</sup>
- (2) The Department or local authority may appear by any officer duly authorised in that behalf in any proceedings instituted by them under this Act.<sup>46</sup>

*Supplementary provisions as to legal proceedings*

### 107 Presumption and determination of age

[1933/99]

- (1) Where a person, whether charged with an offence or not, is brought before any court otherwise than for the purpose of giving evidence, and it appears to the court that he is a child or young person, the court shall make due inquiry as to the age of that person, and for that purpose shall take such evidence as may be forthcoming at the hearing of the case, but an order or judgment of the court shall not be invalidated by any subsequent proof that the age of that person has not been correctly stated

to the court, and the age presumed or declared by the court to be the age of the person so brought before it shall, for the purposes of this Act, be deemed to be the true age of that person, and, where it appears to the court that the person so brought before it has attained the age of seventeen years, that person shall for the purposes of this Act be deemed not to be a child or young person.

- (2) Where in any charge or indictment for any offence under this Act or any of the offences mentioned in the First Schedule to this Act, except as provided in that Schedule, it is alleged that the person by or in respect of whom the offence was committed was a child or young person or was under or had attained any specified age, and he appears to the court to have been at the date of the commission of the alleged offence a child or young person, or to have been under or to have attained the specified age, as the case may be, he shall for the purposes of this Act be presumed at that date to have been a child or young person or to have been under or to have attained that age, as the case may be, unless the contrary is proved.<sup>47</sup>
- (3) Where, in any charge or indictment for any offence under this Act or any of the offences mentioned in the First Schedule to this Act, it is alleged that the person in respect of whom the offence was committed was a child or was a young person, it shall not be a defence to prove that the person alleged to have been a child was a young person or the person alleged to have been a young person was a child in any case where the acts constituting the alleged offence would equally have been an offence if committed in respect of a young person or child respectively.
- (4) Where a person is charged with an offence under this Act in respect of a person apparently under a specified age it shall be a defence to prove that the person was actually of or over that age.

## **108 Evidence of wages of defendant**

[1933/100]

In any proceedings under this Act a copy of an entry in the wages book of any employer of labour, or if no wages book be kept, a written statement signed by the employer or by any responsible person in his employ, shall be evidence that the wages therein entered or stated as having been paid to any person, have in fact been so paid.



109 [Repealed]<sup>48</sup>

110 [Repealed]<sup>49</sup>

111 to 115 [Repealed]<sup>50</sup>

116 [Repealed]<sup>51</sup>

### 117 Regulations

[1948/59]

Any regulations or bye-laws made under this Act shall be laid before Tynwald as soon as may be after they are made and shall not take effect until approved by resolution of Tynwald.

### 118 Interpretation

[1933/107]

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say —

“**Affiliation Act**” [Repealed]<sup>52</sup>

“**approved school**” [Repealed]

“**approved school order**” [Repealed]<sup>53</sup>

“**Authority**” [Repealed]<sup>54</sup>

“**Board**” [Repealed]<sup>55</sup>

“**care order**” [Repealed]<sup>56</sup>

“**child**” except in Part II means a person who in the opinion of the court before whom he is brought is under the age of fourteen years;<sup>57</sup>

“**compulsory school age**” has the same meaning as in the *Education Act 2001*;<sup>58</sup>

“**Department**” means the Department of Health and Social Care;<sup>59</sup>

“**detention centre**” [Repealed]<sup>60</sup>

“**fit person**” [Repealed]<sup>61</sup>

“**functions**” includes powers and duties;

“**guardian**” in relation to a child or young person includes any person who, in the opinion of the court having cognizance of any case in relation to the child or young person or in which the child or young person is concerned has for the time being the actual care of the child or young person;<sup>62</sup>

“**hospital**” has the same meaning as in the *National Health Service Act 2001*;<sup>63</sup>

“**infant**” means a person under the age of seven years;

“**in need of care or protection**” [Repealed]<sup>64</sup>

“**intoxicating liquor**” [Repealed]<sup>65</sup>

“**legal guardian**” [Repealed]<sup>66</sup>

“**managers**” [Repealed]<sup>67</sup>

“**parent**” [Repealed]<sup>68</sup>

“**parental responsibility**” has the same meaning as in the *Children and Young Persons Act 2001*;<sup>69</sup>

“**place of safety**” [Repealed]<sup>70</sup>

“**prescribed**” means prescribed by regulations made by the Governor and approved by Tynwald;

“**public place**” includes any public park, garden, sea beach or railway station, and any ground to which the public have or are permitted to have access, whether on payment or otherwise;

“**relative**” means —

- (a) a grandparent, sibling, uncle or aunt, whether of the full or half blood or by marriage or civil partnership; and
- (b) where an adoption order has been made in relation to any person, any person who would be a relative of the adopted person if the adopted person were the legitimate child of the relationship in question;<sup>71</sup>

“**remand home**” [Repealed]<sup>72</sup>

“**secure juvenile unit**” [Repealed]<sup>73</sup>

“**street**” includes any highway and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not;

“**voluntary home**” [Repealed]<sup>74</sup>

“**voluntary organisation**” [Repealed]<sup>75</sup>

“**young person**” means a person who in the opinion of the court before whom he is brought is of the age of fourteen years but is under the age of seventeen years.

“**youth custody unit**” [Repealed]<sup>76</sup>

- (2) References in this Act to findings of guilty and findings that an offence has been committed shall be construed as including references to pleas of guilty and admissions that an offence has been committed.

- (2A) In this Act (except Part VI), references (however expressed) to any relationship between two persons shall be construed in accordance with section 5 of the *Children and Young Persons Act 2001*.<sup>77</sup>
- (3) References in this Act to any enactment (including an Act of the Imperial Parliament) or to any provision in any enactment (including an Act of the Imperial Parliament) shall, unless the context otherwise requires, be construed as references to that enactment or provision as amended by any subsequent enactment, including this Act.
- (4) Without prejudice to the provisions of the *Interpretation Act 1949* with respect to repeals, the transitory provisions set out in the Third Schedule to this Act shall have effect for the purposes of the transition to the provisions of this Act from the provisions of the enactments repealed by this Act.
- (5) [Repealed]<sup>78</sup>
- (6) and (7) [Repealed]<sup>79</sup>
- (7) References in any Act or other document to any enactment repealed and re-enacted with or without modifications by this Act shall be construed as including references to the corresponding provision of this Act.
- (8) The reference in the First Schedule to this Act to any offence under sections one, two, three, nine or nineteen of this Act shall be construed as including a reference to any offence under Part III of the *Children Act, 1910*.

### 119 Short title, repeals and commencement

- (1) This Act may be cited as the Children and Young Persons Act 1966.
- (2) [Repealed]<sup>80</sup>
- (3) This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.



**FIRST SCHEDULE**

Sections 12, 13, 35, 36, 37, 38, 52, 54, 59, 107 and 118

Sch 1 amended by Sexual Offences Act 1967 Sch 3 and by Sexual Offences Act 1992 Sch 3.

*Offences Against children and young persons, with respect to which special provisions of this Act apply*

The murder or manslaughter of a child or young person.

Infanticide.

Any offence under sections forty-two, or sixty-nine of the *Criminal Code, 1872*, or under the *Criminal Code Amendment Act, 1886*, or under section fifty-six of the *Petty Sessions and Summary Jurisdiction Act, 1927*.

Any offence under sections one, two, three, four, nine or nineteen of this Act.

Any other offence involving bodily injury to a child or young person.

For all purposes except those of section 107(2) of this Act, an offence against a child or young person under any of the following provisions of the *Sexual Offences Act 1992*, namely sections 2 to 5, 7, 9, 11, 13, 15, 17, 18, 20, 21 and 23 or an attempt to commit an offence under section 2(a), 4, 5, 7, 9(1), 17 or 18 of that Act.

For the purposes of section 107(2) of this Act, an offence under section 7, 9(1), 11, 13, 15 or 23 of the Act of 1992 or an attempt to commit an offence under section 7 or 9(1) of that Act.

**SECOND SCHEDULE<sup>81</sup>****THIRD SCHEDULE****TRANSITORY PROVISIONS<sup>82</sup>****FOURTH SCHEDULE<sup>83</sup>**



## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement

### Table of Renumbered Provisions

Original	Current

### Table of Endnote References

<sup>1</sup> Para (a) amended by Children and Young Persons Act 1969 Sch 4.

<sup>2</sup> Subs (1) amended by Family Law Act 1991 Sch 5.

<sup>3</sup> Para (a) amended by Children and Young Persons Act 1969 s 45, by Family Law Act 1991 Sch 5 and by Social Services Act 2011 Sch 3.

<sup>4</sup> Para (a) amended by Fines Act 1986 s 3.

<sup>5</sup> S 2 repealed by Sexual Offences Act 1967 Sch 4.

<sup>6</sup> Subs (1) amended by Children and Young Persons Act 1969 Sch 4 and by Family Law Act 1991 Sch 5.

<sup>7</sup> Subs (2) repealed by Sexual Offences Act 1967 Sch 4.

<sup>8</sup> Subs (1) amended by Children and Young Persons Act 1969 Sch 4 and by Family Law Act 1991 Sch 5.

<sup>9</sup> S 5 amended by Licensing Act 1995 Sch 3.

<sup>10</sup> Subs (1) amended by Fines Act 1986 Sch 2 and by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 1.

<sup>11</sup> Subs (1A) inserted by Children and Young Persons (Protection from Tobacco and Liquor) Act 1999 s 1 and amended by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 1.

<sup>12</sup> Subs (1B) inserted by Children and Young Persons (Protection from Tobacco and Liquor) Act 1999 s 1 and amended by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 1.

<sup>13</sup> Subs (1C) inserted by Children and Young Persons (Protection from Tobacco and Liquor) Act 1999 s 1.

<sup>14</sup> Subs (2) repealed by Public Health (Tobacco) (Amendment) Act 2015 s 26.

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- <sup>15</sup> Subs (3) amended by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 1.
- <sup>16</sup> Subs (4A) inserted by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 1.
- <sup>17</sup> S 6A inserted by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 2.
- <sup>18</sup> Subs (3) repealed by Public Health (Tobacco) (Amendment) Act 2015 s 26.
- <sup>19</sup> Subs (4) repealed by Public Health (Tobacco) (Amendment) Act 2015 s 26.
- <sup>20</sup> Subs (5) amended by Public Health (Tobacco) (Amendment) Act 2015 s 26.
- <sup>21</sup> Subs (6) amended by Public Health (Tobacco) (Amendment) Act 2015 s 26.
- <sup>22</sup> S 6B inserted by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 2.
- <sup>23</sup> S 6C inserted by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 3.
- <sup>24</sup> Para (d) repealed by Public Health (Tobacco) (Amendment) Act 2015 s 26.
- <sup>25</sup> S 6D inserted by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 4.
- <sup>26</sup> S 6E inserted by Children and Young Persons (Sale of Addictive and Intoxicating Substances) Act 1999 s 4.
- <sup>27</sup> S 7 amended by Fines Act 1986 Sch 2.
- <sup>28</sup> Subs (1) amended by Fines Act 1986 Sch 2.
- <sup>29</sup> Subs (1A) inserted by Children and Young Persons Act 2001 Sch 12 and amended by SD155/10 Sch 10 and by SD2017/0325.
- <sup>30</sup> Subs (2) repealed by Police Powers and Procedures Act 1998 Sch 5.
- <sup>31</sup> Subs (3) amended by Education Act 2001 Sch 11.
- <sup>32</sup> Subs (4) amended by Education Act 1986 Sch 2, by SD155/10 Sch 10 and by SD2017/0325.
- <sup>33</sup> S 9 amended by Family Law Act 1991 Sch 5.
- <sup>34</sup> Subs (3) amended by Fines Act 1986 Sch 2.
- <sup>35</sup> S 11 repealed by Police Powers and Procedures Act 1998 Sch 5.
- <sup>36</sup> Subs (3) repealed by Children and Young Persons Act 1969 Sch 4.
- <sup>37</sup> S 13 repealed by Criminal Justice Act 1991 Sch 5.
- <sup>38</sup> Para (a) amended by Children and Young Persons Act 2001 Sch 12.
- <sup>39</sup> S 14 substituted by Family Law Act 1991 Sch 5.
- <sup>40</sup> Ss 15 to 17 repealed by SD355/05.
- <sup>41</sup> S 18 repealed by Children and Young Persons Act 1969 Sch 4.
- <sup>42</sup> Ss 19 to 23 repealed by SD439/04.
- <sup>43</sup> Ss 24 and 25 repealed by SD355/05.
- <sup>44</sup> Ss 26 to 105 repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>45</sup> Subs (1) amended by GC140/90.
- <sup>46</sup> Subs (2) amended by GC140/90.
- <sup>47</sup> Subs (2) amended by Sexual Offences Act 1967 Sch 3.



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- <sup>48</sup> S 109 repealed by Summary Jurisdiction Act 1989 Sch 6.
- <sup>49</sup> S 110 repealed by Public Health (Tobacco) (Amendment) Act 2015 s 26.
- <sup>50</sup> Ss 111 to 115 repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>51</sup> S 116 repealed by Acquisition of Land Act 1984 Sch 5.
- <sup>52</sup> Definition of “Affiliation Act” repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>53</sup> Definitions of “approved school” and “approved school order” repealed by Prison and Youth Custody Act 1986 Sch 3.
- <sup>54</sup> Definition of “Authority” repealed by SD155/10 Sch 10.
- <sup>55</sup> Definition of “Board” repealed by GC192/86.
- <sup>56</sup> Definition of “care order” repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>57</sup> Definition of “child” amended by Children and Young Persons (Restriction on Employment) (Modification) Act 1980 s 4.
- <sup>58</sup> Definition of “compulsory school age” amended by Education Act 2001 Sch 10.
- <sup>59</sup> Definition of “Department” inserted by GC140/90 and amended by SD155/10 Sch 6 and by SD2014/08.
- <sup>60</sup> Definition of “detention centre” repealed by Criminal Justice (Penalties, Etc.) Act 1993 Sch 2.
- <sup>61</sup> Definition of “fit person” repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>62</sup> Definition of “guardian” amended by Family Law Act 1991 Sch 5.
- <sup>63</sup> Definition of “hospital” substituted by National Health Service Act 2001 Sch 4. Spent.
- <sup>64</sup> Definition of “in need of care or protection” repealed by Children and Young Persons Act 1969 Sch 4.
- <sup>65</sup> Definition of “intoxicating liquor” repealed by Licensing Act 1995 Sch 4.
- <sup>66</sup> Definition of “legal guardian” repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>67</sup> Definition of “managers” repealed by Prison and Youth Custody Act 1986 Sch 3.
- <sup>68</sup> Definition of “parent” repealed by Adoption Act 1984 Sch 5.
- <sup>69</sup> Definition of “parental responsibility” amended by Children and Young Persons Act 2001 Sch 12.
- <sup>70</sup> Definition of “place of safety” repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>71</sup> Definition of “relative” substituted by Civil Partnership Act 2011 Sch 14.
- <sup>72</sup> Definition of “remand home” repealed by Prison and Youth Custody Act 1986 Sch 3.
- <sup>73</sup> Definition of “secure juvenile unit” repealed by Custody Act 1995 Sch 5.
- <sup>74</sup> Definition of “voluntary home” repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>75</sup> Definition of “voluntary organisation” repealed by Children and Young Persons Act 2001 Sch 13.
- <sup>76</sup> Definition of “youth custody unit” repealed by Custody Act 1995 Sch 5.
- <sup>77</sup> Subs (2A) amended by Children and Young Persons Act 2001 Sch 12.
- <sup>78</sup> Subs (5) repealed by Custody Act 1995 Sch 5.

<sup>79</sup> Subss (6) and (7) repealed by Children and Young Persons Act 2001 Sch 13.

<sup>80</sup> Subs (2) repealed by Statute Law Revision Act 1983 Sch 2.

<sup>81</sup> Sch 2 repealed by Summary Jurisdiction Act 1989 Sch 6.

<sup>82</sup> Omitted.

<sup>83</sup> Sch 4 repealed by Statute Law Revision Act 1983 Sch 2