



Statutory Document No. 799/01

THE CHILDREN AND YOUNG PERSONS ACT 2001

THE CHILDREN AND YOUNG PERSONS ACT 2001 (APPOINTED DAY) (NO. 1) ORDER 2001

In exercise of the powers conferred on the Department of Health and Social Security by section 106(3) and (4) of the Children and Young Persons Act 2001¹, and of all other enabling powers, the following Order is hereby made:—

1. Citation and interpretation

- (1) This Order may be cited as the Children and Young Persons Act 2001 (Appointed Day) (No.1) Order 2001.
- (2) In this Order "the Act" means the Children and Young Persons Act 2001.

2. Commencement of certain provisions of the Act

Subject to article 3, the following provisions of the Act shall come into operation on the 1st January 2002 —

- (a) in Part 8, sections 69 to 75 and 77 to 82 (proceedings involving children and young persons);
- (b) in Part 9, sections 86 to 89 (parental orders);
- (c) in Part 10 —
 - (i) section 96 (representation of child in family proceedings);
 - (ii) section 105, in relation to the provisions of Schedules 11, 12 and 13 specified below;
- (d) Schedule 8 (offences referred to in section 79);
- (e) in Schedule 11, paragraphs 10, 12 and 14 (transitional provisions);
- (f) in Schedule 12, paragraph 13(1), (2), (9), (10) and (11) (amendment of Child Custody Act 1987²);
- (g) in Schedule 13, the repeals set out in the following table —

¹ 2001 c.20

² 1987 c.11

<i>Reference</i>	<i>Short title</i>	<i>Extent of repeal</i>
XX p.89	The Children and Young Persons Act 1966.	Sections 26 and 27. Section 29 to 34. Sections 36 to 39. Sections 45 and 46. Section 49. Section 51.
XXI p.44	The Children and Young Persons Act 1969.	Section 12. Section 16. Section 18. Section 21.
1985 c.15	The Criminal Law (Amendment) Act 1985.	In Schedule 2, paragraph 6.
1989 c.15	The Summary Jurisdiction Act 1989.	Section 41. In Schedule 5, paragraph 11.
1993 c.12	The Broadcasting Act 1993.	In Schedule 4, paragraphs 3(2) and 9(2).
1993 c.18	The Criminal Justice (Penalties, Etc.) Act 1993.	In Schedule 1, paragraphs 2 and 3.
1996 c.17	The Criminal Justice Act 1996.	In Schedule 2, paragraph 3.
1997 c.4	The Statute Law Revision Act 1997.	In Schedule 4, paragraph 63.
1998 c.9	The Police Powers and Procedures Act 1998.	Section 60. In Schedule 4, paragraph 2.

3. Transitional provisions

(1) Sections 69 to 75 and 77 to 82 of the Act, and the repeals specified in article 2(g), do not apply in relation to any proceedings which were commenced before the 1st January 2002.

(2) Until the coming into operation of Parts 1 and 2 of the Act —

- (a) the references to those Parts in the definition of "family proceedings" in section 102(1) of the Act shall be construed as references to Parts I and II respectively of the Family Law Act 1991³;
- (b) the references to section 11 of the Act in sections 1 and 2 of the Child Custody Act 1987⁴ (as amended by paragraph 13(1) of Schedule 12 to the Act) shall be construed as references to section 9 of the Family Law Act 1991.

³ 1991 c.3

⁴ 1987 c.11

MADE *Tuesday 4th December* 2001

M Christian

Minister for Health and Social Security

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into force on the 1st January 2002 the following provisions of the Children and Young Persons Act 2001 —

- (a) Part 8 (which relates to proceedings involving children and young persons), except sections 76 and 83;
- (b) sections 86 to 89 (status of children born as a result of certain fertilisation and embryology procedures);
- (c) section 96 (representation of children in family proceedings); and
- (d) in part, Schedule 12 paragraph 13 (amendment of Child Custody Act 1987);

together with related repeals. Transitional provisions are included in article 3.

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