

- (c) for the word "Department" there shall be substituted the word "Branch"; and
- (d) for the word "Director" there shall be substituted the expression "Director-General";
- (ii) after sub-section (5) there shall be inserted the following sub-sections :—
- " (6) Every parent of any child committed by any Court to any youth training centre appointed pursuant to the *Social Welfare Act 1960* shall be liable to pay to the Director-General towards the maintenance of such child the equivalent of any sum received by such parent pursuant to the Commonwealth Act known as the *Social Services Act 1947-1958* in respect of any such child as if such sum was ordered by such Court under this Part to be paid by such parent towards the maintenance of such child.
- (7) The provisions of this section shall extend and apply to every parent whose child was committed to the care of the Children's Welfare Department prior to the commencement of the *Social Welfare Act 1960*."
- (ab) In section forty-five for the word "Department" there shall be substituted the word "Branch";
- (ac) In section forty-six for the words "Children's Welfare Department" there shall be substituted the word "Branch";
- (ad) In section fifty-seven—
- (i) for the word "Department" there shall be substituted the word "Branch"; and
- (ii) for the word "Director" there shall be substituted the expression "Director-General";
- (ae) For section fifty-eight there shall be substituted the following section :—
- ' 58. In this Part unless inconsistent with the context or subject-matter—
- "Approved person" means a representative of a body or organization which representative and body or organization

Parent of child committed to youth training centre liable for child endowment, &c., payments received.

Parent of child committed to continue liable for maintenance.

Amendment of No. 6219 s. 58.

Interpretations.

"Approved person."

have

have been approved by the Attorney-General pursuant to the provisions of the *Adoption of Children Act 1958*.

“ Infant.”

“ Infant ” means a child under the age of five years.

“ Registered house.”

“ Registered house ” means a house registered under this Part.

“ Registered person.”

“ Registered person ” means a person registered as the occupier of a registered house under this Part.

“ Relative.”

“ Relative ” in respect of an infant means the father or mother of the infant, the father mother brother or sister of a parent of the infant, the brother or sister of the infant or a child of the brother or sister of the infant.’ ;

Amendment of No. 6219 s. 59.

(af) In section fifty-nine—

(i) after paragraph (d) there shall be inserted the following paragraph :—

“ (da) any placement of an infant effected by an approved person ; ” ; and

(ii) in paragraph (d) for the word “ Department ” there shall be substituted the word “ Branch ” ;

Part VII. not to apply to placement of infants by approved persons.

Amendment of No. 6219 s. 60.

(ag) In sub-section (2) of section sixty after the word “ registered ” there shall be inserted the words “ unless he is the person in charge of an institution approved under section fourteen of this Act ” ;

(ah) In section sixty-two—

(i) in sub-section (2) for the words “ Children’s Welfare Department ” there shall be substituted the word “ Branch ” ; and

(ii) for the word “ Director ” (wherever occurring) there shall be substituted the expression “ Director-General ” ;

(aj) In section sixty-five for the words “ Children’s Welfare Department ” there shall be substituted the word “ Branch ” ;

Amendment of No. 6219 s. 66.

(ak) In section sixty-six for the words “ from a registered house ” there shall be substituted the words “ from any house pursuant to the provisions of section sixty-two or section sixty-eight of this Act ” ;

(al) For

(al) For section sixty-seven there shall be substituted the following section :—

“ 67. (1) Except in any case where the registered person requests the Director-General in writing that the provisions of this section shall not apply and the Director-General approves, the following provisions shall apply with respect to any infant received into any house registered under this Part at which such infants are received in consideration of payments for maintenance (including rearing and nursing) at a rate not greater than the rate determined by the Minister pursuant to section twenty-nine of this Act for children placed out in approved children's homes :—

Amendment of No. 6219 s. 67.

Provisions applicable to registered houses where charges for maintenance not higher than rate determined by the Minister for children placed out in approved children's homes.

- (a) Any person who desires to board out an infant in a registered house shall make application to the Director-General in the prescribed form and shall include in such application a statement of the amount which he will pay weekly to the Director-General for the maintenance of such infant ;
- (b) No infant shall be so boarded out at a rate greater than the rate determined as aforesaid ;
- (c) Payments for the maintenance of such infant shall be made through the Director-General and in no other way ;
- (d) When such payments fall into arrear for a period of four weeks at any one time the Director-General shall endorse the application accordingly and the application so endorsed shall for all purposes be deemed to be an order admitting the infant to the care of the Branch ;

(2) Any application under this section may be granted or refused by the Director-General in his discretion ” ;

(am) For section sixty-eight there shall be substituted the following section :—

Amendment of No. 6219 s. 68.

“ 68. (1) If any person takes over the entire care and charge of any infant to the exclusion of its parents or guardians such person shall within

Notice to Director-General by person taking over entire care and charge of infant.

fourteen

fourteen days after so doing give or send notice thereof to the Director-General and such person shall in such notice state his or her name and place of residence and occupation and the name and age of such infant and the name and address of the person from whom such infant was received.

Director-General may investigate circumstances, &c., of infant.

(2) Upon receipt of any information that any person has taken over the entire care and charge of any infant to the exclusion of its parents or guardians the Director-General may investigate the history and parentage of such infant and the circumstances of its coming into such care and charge.

Minister may direct removal of infant.

(3) If the Director-General is of the opinion that it is in the best interests of such infant so to do he shall submit a report of the circumstances to the Minister who, if he is satisfied that it is in the public interest so to do, may direct that such infant be removed from such care and charge.

Powers of Director-General upon removal of infant.

(4) Upon any such direction by the Minister the Director-General shall—

(a) restore the infant to the custody of a parent ; or

(b) transfer the infant to the care of a registered person upon the parent entering into an agreement with such registered person for the payment of maintenance ; or

(c) remove the infant to a reception centre upon an application being made to a Children's Court to have the infant admitted to the care of the Branch and the Court may grant or refuse such application and make an order accordingly.

Penalty.

(5) Every person who fails to comply with the provisions of sub-section (1) of this section shall be liable to imprisonment for a term of not more than three months or to a penalty of not more than Fifteen pounds.

Provisions of section not to excuse from making any registration required under Part.

(6) Nothing in this section shall excuse any person from making any registration required by any other provision of this Part or from any penalty for omitting so to do.”;

(an) In

(an) In section sixty-nine—

Amendment of
No. 6219 s. 69.

(i) for sub-section (1) there shall be substituted the following sub-section :—

“(1) Any person who causes or procures or having the care thereof allows any child—

Children not to be employed in certain places without a permit or beg alms, &c.

(a) who is not the holder of a permit for the purpose in force under this section to be employed (whether for reward or not)—

(i) in any place used for broadcasting or telecasting performances ;

(ii) in any premises licensed according to law for public entertainments;

(iii) in any circus ;

(iv) in any place used wholly or in part for providing entertainment or amusement ;

(v) in any place set apart for spectators at any sports or in or adjacent to any way of access to or egress from any such place ;
or

(vi) in any place used for the photographing of scenes to be depicted in a cinematograph film—

for the purpose of singing playing or performing or offering anything for sale ; or

(b) to be in any place whatsoever for the purpose of begging or receiving alms or inducing the giving of alms under the

pretence

pretence of singing playing or performing offering anything for sale or otherwise—

shall be guilty of an offence against this Act :

Provided however that the Minister may on the recommendation of the Director-General grant a special permit authorizing any child to be employed for a broadcasting or telecasting performance on any Sunday between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon for the purposes of any religious programme sponsored by a church.”;

(ii) in sub-section (3) after the words “ mentioned in ” there shall be inserted the expression “ paragraph (a) of ”;

(iii) in sub-section (6) for the word “ ten ” there shall be substituted the word “ eleven ”; and

(iv) for the word “ Director ” (wherever occurring) there shall be substituted the expression “ Director-General ” ;

(ao) After sub-section (2) of section seventy-one there shall be inserted the following sub-sections :—

“ (3) If it appears to any justice, on information made before him on oath, that there is reasonable cause to suspect that any child is being neglected ill-treated or exposed as aforesaid in any place within the jurisdiction of such justice, he may issue a warrant authorizing any person named therein to search for any such child and when found to take such child to the nearest reception centre and such child shall, as soon as practicable thereafter, be brought before a Children’s Court.

(4) The justice may at the time of or after issuing such warrant issue another warrant for the arrest of any person accused of neglecting ill-treating or exposing any such child and may order proceedings to be taken for prosecuting any such person according to law.

(5) Any person authorized by warrant under this section to search for any child being neglected ill-treated or exposed as aforesaid may enter (if need be, by force) any house building or other place specified in such warrant and may remove such child therefrom.

(6) Every

Amendment of
No. 6219 s. 71.

Justice may
issue warrant
to search for
child being
neglected,
ill-treated or
exposed and
to apprehend
such child.

(6) Every warrant issued under this section shall be addressed to and executed by some senior constable sergeant or other officer of police of higher rank, who shall be accompanied by the person making the information, if such person so desire, unless the justice otherwise directs.” ;

(ap) In section seventy-two—

Amendment of
No. 6219 s. 72.

(i) for paragraph (a) there shall be substituted the following paragraph :—

“(a) directly or indirectly withdraws unlawfully any ward of the Branch or counsels or induces any such ward to abscond from any place in which or person under whom he is placed by the Director-General pursuant to section twenty-five of this Act ; or ” ;

Penalty for
inducing wards,
&c., to abscond.

(ii) in paragraph (b) for the words “ centre, home or school ” there shall be substituted the word “ place ” ;

(aq) Sections seventy-three seventy-four and seventy-five shall be repealed ;

Amendment of
No. 6219 s. 74.

(ar) In sub-section (1) of section seventy-seven—

Amendment of
No. 6219 s. 77.

(i) the word “ juvenile ” (wherever occurring) shall be repealed ;

(ii) after paragraph (b) there shall be inserted the following paragraphs :—

Regulations
with respect to
boarding out,
&c.

“(ba) the boarding out placing in employment or otherwise of children admitted to the care of the Branch ;

(bb) allowances under Part V. of this Act ;

(bc) prescribing standards to be observed for the care and welfare of inmates of reception centres children’s homes schools and hostels ” ; and

(iii) in paragraph (f) for the words “ for the purpose of the religious education ” there shall be substituted the words “ for the purposes of the spiritual welfare and pastoral care ” ;

(as) In section eleven for the words “ Director and the deputy director ” there shall be substituted the expression “ Director-General ” ; and

Amendment of
No. 6219 s. 11.

(at) In

Amendment of
No. 6219 ss. 22,
23, 26, 27, 28,
32, 33, 35, 36,
37, 41, 50, 54,
56, 61, 63, 64,
65, 66.

- (at) In sections twenty-two, twenty-three, twenty-six, twenty-seven, twenty-eight, thirty-two, thirty-three, thirty-five, thirty-six, thirty-seven, forty-one, fifty, fifty-four, fifty-six, sixty-one, sixty-three, sixty-four, sixty-five and sixty-six for the word "Director" (wherever occurring) there shall be substituted the expression "Director-General".

Amendment of
No. 6231 s. 476.

57. The *Crimes Act* 1958 shall be amended as follows :—

- (a) After section four hundred and seventy-six there shall be inserted the following section:—

"476A. Whenever imprisonment may by law be awarded for any indictable offence and the offender is a person under the age of twenty-one years at the date of his conviction, the Court may, having regard to the nature of the offence and to the age character and antecedents of the offender, in lieu of any sentence of imprisonment direct that the offender be detained in a youth training centre for a period of not more than three years :

Provided that where the offender has been convicted in the same proceedings of more than one such offence the Court may direct that he be detained for an aggregate period of not more than three years in respect of all such offences."

Amendment of
No. 6231 s. 506.

- (b) In section five hundred and six for the interpretation of "Director" there shall be substituted the following interpretation:—

" "Director-General" means the Director-General of Social Welfare under the *Social Welfare Act* 1960 or the person for the time being acting in his stead."

Amendment of
No. 6231 s. 507.

- (c) In section five hundred and seven for the word "Director" (wherever occurring) there shall be substituted the expression "Director-General" ;

Amendment of
No. 6231 s. 521.

- (d) For paragraph (b) of sub-section (2) of section five hundred and twenty-one there shall be substituted the following paragraph :—

"(b) the Director-General of Social Welfare ;
and"

- (e) In section five hundred and thirty-seven A for the words "Director of Penal Services" there shall be substituted the expression "Director-General of Social Welfare".

58. In

58. In section twelve of the *Evidence Act 1958*—

- (a) for the words “gaol police gaol prison or penal establishment” there shall be substituted the words “gaol police gaol prison penal establishment youth training centre or remand centre”; and
- (b) after the word “stipendiary” there shall be inserted the words “or special”.

Amendment of No. 6246 s. 12. Persons in youth training centres may be brought before Court without writ of *habeas*.

59. The *Gaols Act 1958* shall be amended as follows :—

- (a) in section three for the interpretation of “Director” there shall be substituted the following interpretation :—

““Director-General” means the Director-General of Social Welfare under the *Social Welfare Act 1960*.”;

Amendment of No. 6259 s. 3.

Interpretation of “Director-General”.

- (b) in section seven for the word “Director” there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 7.

- (c) section nine shall be repealed;

Repeal of provisions for appointment Director of Penal Services.

- (d) in section ten for the word “Director” there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 10.

- (e) in section twelve for the word “Director” there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 12.

- (f) section thirteen shall be repealed;

Repeal of provisions for appointment of acting or deputy Director of Penal Services.

- (g) in section fourteen for the word “Director” there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 14.

- (h) in section twenty-two for the word “Director” (wherever occurring) there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 22.

- (i) in section twenty-three for the word “Director” there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 23.

- (j) in section twenty-six for the word “Director” there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 26.

- (k) in section twenty-eight for the word “Director” there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 28.

- (l) in section twenty-nine for the word “Director” (where twice occurring) there shall be substituted the expression “Director-General”;

Amendment of No. 6259 s. 29.

(m) in

Amendment of
No. 6259 s. 30.

(m) in section thirty for the word " Director " there shall be substituted the expression " Director-General " ;

Amendment of
No. 6259 s. 31.

(n) in sub-section (3) of section thirty-one for the word " Director " there shall be substituted the expression " Director-General " ;

Amendment of
No. 6259 s. 33.

(o) in section thirty-three for the word " Director " (wherever occurring) there shall be substituted the expression " Director-General " ; and

Amendment of
No. 6259 s. 34.

(p) in section thirty-four for the word " Director " there shall be substituted the expression " Director-General " .

60. The *Maintenance Act* 1958 shall be amended as follows :—

Amendment of
No. 6300 s. 18.

(a) In section eighteen for the words " Children's Welfare Department " there shall be substituted the words " Social Welfare Branch of the Chief Secretary's Department " ;

Amendment of
No. 6300 s. 85.

(b) In paragraph (c) of section eighty-five for the word " Director " there shall be substituted the expression " Director-General of Social Welfare " ; and

Amendment of
No. 6300 s. 86.

(c) In paragraph (c) of section eighty-six for the word " Director " there shall be substituted the expression " Director-General of Social Welfare " .

Amendment of
No. 6349 s. 59.

61. In sub-section (1) of section fifty-nine of the *Public Service Act* 1958 for the words " Director of Penal Services " there shall be substituted the expression " Director-General of Social Welfare " .

62. The *Youth Organizations Assistance Act* 1958 shall be amended as follows :—

Amendment of
No. 6421 s. 3.
Interpretation
of " Council " .

(a) In section three for the interpretation of " Committee " there shall be substituted the following interpretation :—

" Council " means the Youth Advisory Council under this Act ;

Amendment of
No. 6421 s. 4.

(b) For section four there shall be substituted the following section :—

" 4. For the purposes of this Act there shall be a Council to be called the Youth Advisory Council. " ;

Establishment
of Youth
Advisory
Council.

Amendments of
No. 6421 ss. 5,
6, 7 and 8.

(c) In sections five, six, seven and eight for the word " committee " (wherever occurring) there shall be substituted the word " council " ;

Consequential
amendments.

(d) After

(d) After paragraph (c) of sub-section (1) of section five there shall be inserted the following paragraph :—

“(ca) the Director of Youth Welfare appointed pursuant to the provisions of Division 2 of Part I. of the *Social Welfare Act 1960* ;”.

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