

100

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1918.

A BILL

To amend the State Children Relief Act, 1901, the Children's Protection Act, 1902, and the Neglected Children and Juvenile Offenders Act, 1905.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "State Children Short title.
(Amendment) Act, 1918."

2. (1) Section three of the State Children Relief Act, 1901, is amended by adding at the end of the definition of "State child" the words "or who has
21477 255—(2) been

been committed by a court under the Neglected Children and Juvenile Offenders Act, 1905, to the care of the board."

(2) Section twenty-three, paragraph (b), of the Neglected Children and Juvenile Offenders Act, 1905, is amended by inserting after "asylum" the words "or to the care of the State Children's Relief Board."

3. Section sixteen of the State Children Relief Act, 1901, is repealed, and the following substituted for it:—

16. The board may, in their discretion, board out to any deserving mother her own children:

Provided that—

- (a) she is a widow or a deserted wife, or a wife living apart from her husband under circumstances explained to the satisfaction of the Minister, or the wife of an invalid, or
- (b) being unmarried she is capable of properly tending the children, and would be otherwise unable to provide for them without assistance.

4. The following new section is inserted next after section nineteen of the same Act:—

19A. The board may establish and maintain trade schools for the training of children committed to the care of the board or boarded out by the board.

5. The following section is inserted next after section twenty-four of the same Act:—

24A. (1) If it appears to a Children's Court on complaint by or on behalf of the board that any parent of a child boarded out by the board or committed to the care of the board is of ability to maintain or to contribute to the maintenance of the child, the court may on summons order such parent to pay to the board a reasonable sum, in instalments or otherwise, as the court directs for or towards—

- (a) the past maintenance of such child, whether such child be alive or not at the time of the application;
- (b) the future maintenance of such child.

(2)

(2) Where an order under this section is made in respect of a person against whom an order has been made in respect of the child under the Infant Protection Act, 1904, the court may rescind or amend the last-mentioned order so as to secure that the said person do not pay twice for the maintenance of the same child.

(3) Any order made under this section may be enforced, appealed from, quashed, confirmed, or varied, in the same manner in all respects as orders made under Part II of the Infant Protection Act, 1904. And the court may issue a warrant for the arrest of any person absconding from the State with a view to evade compliance with any order under this section.

(4) Provided that where proceedings are taken under this section, in respect of the maintenance of an illegitimate child, of which the defendant is alleged to be the father, no order for maintenance shall be made therein—

- (a) upon the evidence of the mother, unless her evidence be corroborated in some material particular; or
- (b) if the court is satisfied that at the time the child was begotten the mother was a common prostitute.

6. Section twenty-five of the same Act is amended by inserting after paragraph (b) the following:—“or

“(c) hinders or obstructs any officer of the board in the exercise of his duty”

7. Section twenty-seven of the same Act is amended by inserting after “boarded out with him” the words “including an apprentice during the term for which the child was boarded out with him under this Act.”

8. Section nine of the Children's Protection Act, 1902, is amended by adding the following at the end of the section:—

“A child boarded out to its mother under section sixteen of the State Children Relief Act, 1901, shall for the purposes of this section be deemed while so boarded out, or while apprenticed during the term for which the child was boarded out, to be under the care and custody of the mother.”
