



ANNO DECIMO QUARTO

GEORGI VI REGIS.

A.D. 1950.

No. 31 of 1950.

An Act to amend the Maintenance Act, 1926-1946.

[Assented to 30th November, 1950.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Maintenance Act Amendment Act, 1950". Short titles.

(2) The Maintenance Act, 1926-1946, as amended by this Act, may be cited as the "Maintenance Act, 1926-1950".

(3) The Maintenance Act, 1926-1946, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 48 of the principal Act is amended by striking out the words "one pound" in the second line of paragraph (b) of subsection (1) and inserting in lieu thereof the words "twenty-five shillings". Amendment of s. 48 of principal Act—Amount payable by relatives for maintenance of children.

4. Section 54 of the principal Act is amended by striking out the word "ten" in the second line and inserting in lieu thereof the word "fifteen". Amendment of s. 54 of principal Act—Confinement expenses.

Amendment of
s. 62 of
principal Act—
Variation
of orders.

5. Section 62 of the principal Act is amended—

(a) by striking out in the third, fourth and fifth lines of subsection (2) the words “the means and ability of the complainant, and as to the relationship to such child of the persons summoned and as to their several” and inserting in lieu thereof the words “the relationship to such child of the complainant and the persons summoned and as to their respective”.

(b) by adding at the end of subsection (2) thereof the following proviso: “Provided that this subsection shall not authorize any court of summary jurisdiction to annul any adjudication that any person is the father of an illegitimate child”.

Enactment of
s. 102a of
principal Act—

6. The following section is enacted and inserted in the principal Act after section 102 thereof:—

Power of board
as to destitute
and neglected
children.

102a. (1) Subject to this section, the board, if satisfied that any child under eight years of age is a destitute child or a neglected child may by order in writing place that child in the custody and under the control of the board or in an institution until such child attains the age of eighteen years.

(2) No such order shall be made—

(a) with respect to a legitimate child, except with the consent of both parents of that child:

(b) with respect to an illegitimate child, except with the consent of the mother of that child:

Provided that if a parent whose consent is required under this subsection is dead or cannot after reasonable enquiry by the board be found, the order may be made without the consent of that parent.

(3) An order made by the board under this section shall be of the like force and effect as if it had been made by the court.

Amendment of
s. 103 of
principal Act—
Uncontrolled
children.

7. Section 103 of the principal Act is amended by striking out paragraphs (c) and (d) thereof.

Consequential
repeal of
s. 104 of
principal Act.

8. Section 104 of the principal Act is repealed.

9. Section 112 of the principal Act is amended by striking out the word "Governor" in the fifth line and inserting in lieu thereof the words "Chief Secretary".

Amendment of s. 112 of principal Act—
Transfers to reformatory school.

10. Section 123 of the principal Act is amended by striking out at the end thereof the words "imprisonment in a reformatory school" and inserting in lieu thereof the words "detention in an institution for the unexpired portion of the period during which he remains a State child".

Amendment of s. 123 of principal Act—
Detention of absconders.

11. Section 127 of the principal Act is amended by striking out all words therein after the word "same" in the sixth line.

Amendment of s. 127 of principal Act—
Apprenticeships.

12. Section 150 of the principal Act is amended by striking out the word "twenty" in the fourth line and inserting in lieu thereof the word "thirty".

Amendment of principal Act—
Payment for maintenance of State children.

13. Section 157 of the principal Act is amended by adding after the word "shall" in the sixth line the words "except with the consent of the persons controlling the reformatory school".

Amendment of s. 157 of principal Act—
Private reformatories.

14. Section 158 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 158 being read as subsection (1) thereof):—

Amendment of s. 158 of principal Act—
Private reformatory schools may be abolished.

(2) The Governor, on the request of the persons controlling any private reformatory school or private institution may by proclamation declare that as from a day to be named in the proclamation, it shall cease to be a reformatory school or institution within the meaning of this Act; and it shall so cease accordingly.

15. Section 182 of the principal Act is amended by striking out at the end thereof the words "within three months after the making of the order".

Amendment of s. 182 of principal Act—
Setting aside of orders.

16. Section 186 of the principal Act is amended by adding after the word "institution" at the end of paragraph (b) thereof the words "or by a member or officer of the board".

Amendment of s. 186 of principal Act—
Duty to leave institutions.

17. Section 188 of the principal Act is amended by striking out the words "benevolent institution" at the end thereof and inserting in lieu thereof the words "school or hospital".

Amendment of s. 188 of principal Act—
Inspection of homes of persons having care of children under seven years.

Amendment of
s. 189 of
principal Act—
Inspection of
homes of
illegitimate
children under
seven years.

18. Section 189 of the principal Act is amended by striking out the words "benevolent institution" at the end thereof and inserting in lieu thereof the words "school or hospital".

Repeal of
s. 195 of
principal Act—
Free passes.

19. Section 195 of the principal Act is repealed.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. W. M. NORRIE, Governor.