

VICTORIA.



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ELIZABETHÆ SECUNDÆ REGINÆ.

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No. 6651.

An Act to establish a Social Welfare Branch of the Chief Secretary's Department and to make Provision with respect to the Functions of that Branch and for other purposes.

[15th June, 1960.]

**B**E it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. (1) This Act may be cited as the *Social Welfare Act 1960*. Short title.

(2) The several provisions of this Act shall come into operation on a day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*. Commencement.

(3) This Act is divided into Parts and Divisions as follows:— Division into Parts.

Part I.—Social Welfare Branch.

Division 1.—Family Welfare Division.

Division 2.—Youth Welfare Division.

Division 3.—Prisons Division.

Division 4.—Research and Statistics Division.

Division

Division 5.—Training Division.

Division 6.—Probation and Parole Division.

Division 7.—Miscellaneous provisions.

Part II.—Supplementary.

Interpretations.	2. In this Act unless inconsistent with the context or subject matter :—
“ Branch. ”	“ Branch ” means the Social Welfare Branch of the Chief Secretary’s Department ;
“ Child. ”	“ Child ” means a person under the age of fourteen years ;
“ Director-General. ”	“ Director-General ” means the Director-General of Social Welfare ;
“ Part. ”	“ Part ” means Part of this Act ;
“ Prescribed. ”	“ Prescribed ” means prescribed by the regulations ;
“ Regulations. ”	“ Regulations ” means regulations made under this Act ;
“ Young person. ”	“ Young person ” means a person of or over the age of fourteen years and under the age of twenty-one years.

PART I.—ADMINISTRATION.

Social Welfare Branch established.

3. For the better promotion and development of services organizations and institutions relating to the social welfare of the community and in particular of children and young persons there shall be a Branch of the Chief Secretary’s Department to be known as the Social Welfare Branch.

Director-General.

4. (1) Subject to the *Public Service Act* 1958 there shall be appointed an officer to be called the “ Director-General of Social Welfare ”.

(2) The Director-General shall subject to this Act have the control and direction of the Branch.

(3) The person holding the office of Director of Penal Services immediately before the commencement of this Act shall be the first Director-General of Social Welfare.

(4) (a) The Director-General may with the approval of the Minister assign in writing to any Director or senior officer of the Branch any of the statutory functions and duties of the Director-General either generally or in any particular case and may in writing revoke any such assignment.

(b) All acts matters and things done or performed by any Director or officer pursuant to any such assignment shall for all purposes have the same force and effect as if done or performed by the Director-General.

(c) Notwithstanding

(c) Notwithstanding the making of any such assignment the Director-General may himself exercise or perform any functions or duties so assigned.

5. (1) It shall be the duty of the Director-General on or before the thirtieth day of September in each year to submit to the Minister a report as to proceedings under this Act during the preceding financial year and such other particulars as the Minister directs to be included therein.

Annual Report  
by Director-  
General.

(2) The Minister shall cause such report to be laid before both Houses of Parliament within three weeks after receiving the same if Parliament is then sitting or if Parliament is not then sitting then within three weeks after the next assembling of Parliament.

#### DIVISION 1.—FAMILY WELFARE DIVISION.

6. (1) There shall be a Division of the Branch to be known as the "Family Welfare Division".

Family Welfare  
Division.

(2) Subject to the *Public Service Act* 1958 there shall be appointed an officer to be called the "Director of Family Welfare".

Director of  
Family Welfare

(3) The Director of Family Welfare shall administer the Family Welfare Division subject to the control and direction of the Director-General.

7. (1) The functions of the Family Welfare Division shall be :—

Functions of  
Family Welfare  
Division.

- (a) To promote family welfare in the community, to prevent its disruption and to mitigate the effects thereof ;
- (b) To promote co-operation with and between voluntary organizations, Government departments and persons concerned with the welfare care and protection of persons in distress or in need of assistance ;
- (c) To control and supervise children and young persons in need of care and protection within the meaning of the *Children's Welfare Act* 1958 ;
- (d) To manage and control all institutions wholly maintained by the State for the reception and treatment of children and young persons in need of care and protection within the meaning of the *Children's Welfare Act* 1958 ;
- (e) To provide after-care for children and young persons under the control of the Branch.

(2) The

- (2) The Family Welfare Division may—
- (a) encourage the formation development and co-ordination of any organizations in the community whose objects include the preservation of family life ;
  - (b) advise and assist Government departments, public authorities and voluntary organizations in methods of attaining those objects ;
  - (c) establish counselling services for the benefit of persons with family problems ; and
  - (d) disseminate information to the public with regard to social welfare.
- (3) With the approval of the Minister the Director-General may—
- (a) establish and maintain such institutions and buildings for the reception accommodation and housing of families and children in need of assistance or care and protection as he thinks proper and may abolish any such institutions ; and
  - (b) provide such services for and assistance to voluntary organizations, persons or bodies of persons engaged in activities within the objects of this Act (including the services of trained officers) as he thinks fit.

DIVISION 2.—YOUTH WELFARE DIVISION.

Youth Welfare Division.

8. (1) There shall be a Division of the Branch to be known as the "Youth Welfare Division".

Director of Youth Welfare.

(2) Subject to the *Public Service Act* 1958 there shall be appointed an officer to be called the "Director of Youth Welfare".

(3) The Director of Youth Welfare shall administer the Youth Welfare Division subject to the control and direction of the Director-General.

Functions of Youth Welfare Division.

9. (1) The functions of the Youth Welfare Division shall be :—
- (a) To deal with the social welfare problems of young persons ;
  - (b) To promote co-operation with and between voluntary organizations, Government departments and persons concerned with the welfare of young persons ; and
  - (c) To maintain and control State institutions to be called "Youth Training Centres" and "Remand Centres" for the reception detention and treatment of young persons convicted of any offence punishable by imprisonment or awaiting trial or sentence for any such offence.

(2) The

(2) The Youth Welfare Division may—

- (a) promote and encourage the work of the Youth Advisory Council in the establishment, development and assistance of youth clubs and organizations concerned with the moral, intellectual and physical welfare and development of young persons and assist in the co-ordination of their activities ;
- (b) provide officers for the Youth Advisory Council to assist and guide youth clubs and voluntary organizations concerned with the welfare of young persons ; and
- (c) provide facilities required by the Youth Advisory Council for the discharge of its functions pursuant to the *Youth Organizations Assistance Act 1958*.

10. (1) For the purposes of this Act the Governor in Council may from time to time by notice published in the *Government Gazette* appoint places, establishments or institutions in Victoria to be—

Governor in Council may appoint youth training centres and remand centres.

- (a) youth training centres for the care and welfare of—
  - (i) offenders committed to youth training centres pursuant to the *Crimes Act 1958* or to the care of the Branch pursuant to the *Children's Welfare Act 1958* ; and
  - (ii) young persons admitted to the care of the Branch who in the opinion of the Director-General are in need of special supervision, social adjustment and training ;
- (b) remand centres for the detention of young persons awaiting trial or sentence or in transit to or from a youth training centre—

and may in the like manner revoke or alter any such appointment but no such appointment of any place, establishment or institution not wholly maintained by the State shall be revoked or altered unless the persons having the care and management thereof have first had an opportunity of being heard in relation to such revocation or alteration.

(2) Every approved juvenile school declared by the Minister pursuant to section fourteen of the *Children's Welfare Act 1958* and the declaration of which has not been revoked before the commencement of this Act shall on and from the said commencement become and be a youth training centre as if appointed pursuant to the provisions of sub-section (1) of this section.

Juvenile schools to become youth training centres.

(3) (a) Every remand centre shall be so constructed and shall provide such facilities that any persons or class of persons detained therein may be segregated from other persons or classes of persons.

Segregation of persons in remand centres.

(b) The

(b) The Director-General may, as he thinks fit—

- (i) determine what persons or classes of persons shall be segregated from other persons or classes of persons in any remand centre ;
- (ii) set aside appropriate portions of any remand centre for the accommodation of any class of persons ;
- (iii) cause any person remanded to a remand centre to be detained in that portion of the centre which is appropriate for a person of his antecedents behaviour and history and be kept apart from persons of any other class.

(4) The Minister shall from time to time determine the rates to be paid in respect of young persons placed in any youth training centre not wholly maintained by the State.

Persons in remand centres &c., in legal custody of the Director-General.

11. Every person who is detained in any remand centre or in any youth training centre shall be deemed to be in the legal custody of the Director-General whilst he is so detained.

Warrant for removal of persons from remand centres, custody, &c.

12. (1) The Director-General may as he thinks fit by warrant under his hand cause—

(a) the removal of any person—

- (i) from any remand centre to any other remand centre or to any youth training centre ;
- (ii) from any youth training centre to any other youth training centre or to any remand centre ;
- (iii) from any gaol or lock-up to any remand centre or youth training centre ; and

(b) the return of any such person to the remand centre or youth training centre from which he was originally removed.

(2) Upon every such removal every such person shall be subject to be kept at the remand centre or youth training centre aforesaid for the residue of the period of his detention in custody or until removed by legal authority.

(3) Every person to whom this section applies—

- (a) while being removed from or to any gaol lock-up remand centre or youth training centre ; and
- (b) while returning to the remand centre or youth training centre from which he was originally removed—

shall be deemed to be in the legal custody of any member of the police force or other officer having the custody of such person and acting under the warrant who shall in due course deliver or

return

return such person into the custody of the officer in charge of the remand centre or youth training centre in accordance with the terms of the warrant.

13. (1) Any person in any youth training centre or remand centre may with writ of *habeas corpus* or other writ for that purpose be removed to and from any court at which he is required to appear for any offence with which he is charged when and so often as may be necessary in order that he may be sentenced tried or otherwise dealt with according to law and such removal shall not be deemed to be an escape.

Removal of persons to court for trial sentence &c.

(2) Every person so being removed and every person ordered to be removed to or committed to any youth training centre shall for and during the time of his being removed from or through any youth training centre or remand centre be deemed to be in the legal custody of the member of the police force or other officer having the custody of such person.

(3) No proceeding either criminal or civil shall be maintained by any such person or any other person against any member of the police force or against any other person by reason of any such removal.

14. Any person lawfully detained in any remand centre or youth training centre who escapes or attempts to escape from such remand centre or youth training centre or from the custody of any member of the police force or other officer in whose custody he may be shall be guilty of an offence and upon conviction therefor shall be liable to imprisonment for a term of not more than six months or to detention in a youth training centre for a period of not more than six months. Any such person so escaping or attempting to escape may be arrested by any member of the police force and placed in a gaol or lock-up until he is removed to a remand centre or youth training centre.

Abscon' guilty of offence.

#### DIVISION 3.—PRISONS DIVISION.

15. (1) There shall be a Division of the Branch to be known as the "Prisons Division".

Prisons Division.

(2) Subject to the *Public Service Act 1958* there shall be appointed an officer to be called the "Director of Prisons".

Director of Prisons.

(3) The Director of Prisons shall administer the Prisons Division subject to the control and direction of the Director-General.

16. The

Functions of  
Prisons  
Division.

16. The functions of the Prisons Division shall be :—

- (a) To control and supervise all persons imprisoned or detained in any gaol ; and
- (b) To assist in the rehabilitation into the community of all persons released or discharged from any gaol.

DIVISION 4.—RESEARCH AND STATISTICS DIVISION.

Research and  
Statistics  
Division.

17. There shall be a Division of the Branch to be known as the “ Research and Statistics Division ”.

Functions of  
Research and  
Statistics  
Division.

18. The functions of the Research and Statistics Division shall be :—

- (a) To direct the compilation of statistics and information in all Divisions of the Branch ;
- (b) To collate and compile information relating to such other matters persons and things as the Minister directs ;
- (c) To co-operate with any persons or bodies of persons concerned with the compilation of the like statistics and to co-ordinate within Victoria the activities of such persons or bodies of persons ; and
- (d) To encourage research by qualified persons into problems of social welfare.

DIVISION 5.—TRAINING DIVISION.

Training  
Division.

19. (1) There shall be a Division of the Branch to be known as the “ Training Division ”.

Superintendent  
of Training.

(2) Subject to the *Public Service Act* 1958 there shall be appointed an officer to be called the “ Superintendent of Training ”.

(3) The Superintendent of Training shall administer the Training Division subject to the control and direction of the Director-General.

Functions of  
Training  
Division.

20. The functions of the Training Division shall be :—

- (a) To advise the Director-General on matters of general policy relating to the training of persons in matters pertaining to social welfare ;
- (b) To



- (b) To plan supervise and co-ordinate the administration and development of the training of persons for the purposes of this Act ;
- (c) To promote foster and encourage public interest in social welfare ;
- (d) To carry out such duties in relation to training officers of the Branch as are imposed upon it by or under this Part ; and
- (e) To supervise the training of all children young persons and adults in any institution controlled by the Branch.

21. (1) The Director-General may—

- (a) organize and conduct, either by himself or in collaboration with any other body or bodies, such lectures classes courses schools examinations and other activities as he thinks necessary or desirable for the purposes of or in connexion with the promotion and encouragement of studies in social welfare ;
- (b) charge and receive such fees and payments as are prescribed in respect of any services supplied by the Division and in respect of the admission of persons to or the enrolment of persons for the purposes of any lectures classes courses schools examinations or other activities organized and conducted under this Division.

Powers of Training Division.

(2) The Minister may authorize payments to be made out of moneys available to the Branch to persons or bodies of persons conducting training in social welfare and to students as bursaries.

Minister may authorize payments for training purposes.

22. (1) For the purposes of this Division the Minister shall constitute a Social Welfare Training Council consisting of not more than twelve members including the Superintendent of Training, the Director of Family Welfare, the Director of Youth Welfare, and the Director of Prisons.

Constitution and functions of Social Welfare Training Council.

(2) The members of the Training Council shall subject to this Act hold office for such respective terms (not exceeding in any case three years) as the Minister appoints and shall be eligible for re-appointment.

(3) The Minister may annually appoint one of such members to be chairman of the Training Council and such member shall hold office as chairman for a term of twelve months and shall be eligible for re-appointment as chairman.

(4) A

## Quorum, &amp;c.

(4) A quorum of the Training Council shall consist of not less than half the whole number of members for the time being in office and subject to there being a quorum the Council may act notwithstanding any vacancy in its membership.

## Chairman at meetings.

(5) At any meeting of the Training Council the chairman or in his absence a member elected by the members present to be chairman of the meeting shall preside.

## Decisions of Council.

(6) The decision upon any matter of the majority of the members at any meeting shall be the decision of the Training Council on that matter and in the event of an equality of votes on any matter the chairman of the meeting shall have a second or casting vote.

## Proceedings.

(7) Subject to this Act the Training Council may regulate its own proceedings in such manner as it thinks fit.

## Filling of vacancies.

(8) Any vacancy occurring on the Training Council from time to time may be filled by any person appointed by the Minister to such vacancy.

(9) Meetings of the Training Council shall be convened and conducted as prescribed but the regulations shall require that not less than six meetings shall be convened in any year.

(10) The members of the Training Council shall not as such be subject to the *Public Service Act 1958*.

(11) Each member of the Training Council shall be paid such fees and travelling allowances as are prescribed.

(12) The functions of the Training Council shall be :—

- (a) To exercise a general supervision over theoretical and practical training prescribed by the Council ;
- (b) To prescribe courses of instruction and training in social welfare ;
- (c) To conduct written practical or oral examinations ; and
- (d) To issue certificates of qualification to persons who have passed examinations at the prescribed standards of proficiency.

## Training Council to have regard to results of other examinations.

23. For the purpose of determining the qualification of any person the Council shall have regard to the results of examinations including those conducted by any University in Victoria the Education Department and any technical school within the meaning of the *Education Act 1958* in subjects approved by the Council.

## DIVISION 6.—PROBATION AND PAROLE DIVISION.

24. In this Division unless inconsistent with the context or subject matter— Interpretations.

“Adult Parole Board” means the Parole Board constituted under Part IV. of the *Crimes Act* 1958. “Adult Parole Board.”

“Board” means the Youth Parole Board constituted under this Division. “Board.”

“Gaol” means gaol within the meaning of the *Gaols Act* 1958. “Gaol.”

“Period” in relation to detention includes the aggregate of two or more periods, whether cumulative or concurrent. “Period.”

“Young person” includes any person of or over the age of twenty-one years undergoing a sentence of detention in a youth training centre or released on parole under this Division. “Young person.”

25. There shall be a Division of the Branch to be known as the “Probation and Parole Division”. Probation and Parole Division.

26. The functions of the Probation and Parole Division shall be :— Functions of Probation and Parole Division

(a) To prepare and submit such reports upon and information with respect to any person found guilty (whether convicted or not) before any court of any offence as such court requires ;

(b) To assist any child or young person released from the care of any institution at the request of the Director-General ;

(c) To supervise all persons released on probation or parole under Part IV. of the *Crimes Act* 1958 or the *Children’s Court Act* 1958 ;

(d) To co-ordinate the activities of probation officers and of parole officers appointed under this or any other Act ;

(e) To assist in the rehabilitation into the community of persons released or discharged from any gaol or youth training centre by the provision of such services as are prescribed or in the absence of any such prescription as the Director-General thinks fit.

27. (1) There shall be a Youth Parole Board constituted as hereinafter provided. Establishment of Youth Parole Board.

(2) The

(2) The Board shall consist of—

- (a) a chairman of general sessions nominated with his consent by the Attorney-General either generally or for a specified term ;
- (b) the Director-General ; and
- (c) (i) (where any general matter or any matter affecting any male person is to be dealt with) one man appointed by the Governor in Council ; and
- (ii) (where any matter affecting any female person is to be dealt with) one woman appointed by the Governor in Council.

(3) References in this Act to the Board shall be construed as references to the Board comprising the man or the woman so appointed (as the case requires) ; and references to the appointed members of the Board shall be construed as references to the man or the woman so appointed (as the case requires).

Death or resignation of judge and filling of vacancy.

28. (1) If the chairman of general sessions nominated by the Attorney-General dies or resigns, his office as a member of the Board shall become vacant and the Attorney-General may (with the consent of the chairman of general sessions to be nominated) nominate another chairman of general sessions as a member of the Board in his stead.

Temporary nomination of judge.

(2) The Attorney-General may (with the consent of the chairman of general sessions to be nominated) nominate a chairman of general sessions to act temporarily as a member of the Board during the absence through illness or other cause of the chairman of general sessions who is a member of the Board or during a vacancy in that office, and the chairman of general sessions so nominated shall whilst so acting have all the powers and functions of and for all purposes be deemed to be a member of the Board.

Term of office of appointed members.

(3) The persons appointed by the Governor in Council to be members of the Board (hereinafter called "the appointed members") shall hold office as such members for such period not exceeding three years as the Governor in Council determines prior to their appointments, but each such person shall upon the expiration of the period for which he or she was appointed be eligible for re-appointment.

Removal death or resignation of appointed members and filling of vacancies.

(4) The Governor in Council may at any time remove any appointed member of the Board from office, and upon any such removal or upon the death or resignation of an appointed member the Governor in Council may appoint a person to fill the vacancy arising from such removal death or resignation.

(5) The

(5) The Governor in Council may appoint any person to act temporarily as a member of the Board during the absence through illness or other cause of either of the appointed members thereof or during a vacancy in the office of an appointed member, and any person so appointed shall while so acting have all the powers and functions of and for all purposes be deemed to be a member of the Board. Temporary appointments.

(6) The several members of the Board shall receive such remuneration for their services and such travelling expenses as are severally fixed by order of the Governor in Council. Remuneration and expenses of members of Board.

29. (1) The chairman of general sessions who is a member of the Board shall *ex officio* be chairman of the Board. Chairman.

(2) A quorum of the Board shall consist of the chairman and one other member of the Board. Quorum.

30. (1) Meetings of the Board shall be held at such times and places as are prescribed, or in the absence of any such prescription, as are fixed by the chairman. Meetings.

(2) Any questions of law arising before the Board shall be decided by the chairman alone. Questions of law.

(3) Upon any other matter the decision of a majority of the members present at any meeting shall be the decision of the Board upon that matter. Majority decisions.

(4) Subject to this Act and the regulations the Board may determine its own procedure. Procedure.

31. (1) All courts and persons having by law or consent of parties authority to hear receive and examine evidence shall— Judicial notice.

(a) take judicial notice of the signature of every person who is a member or the secretary of the Board attached or appended to any document by virtue of this or any other Act ; and

(b) until the contrary is proved presume that every such signature is properly attached or appended thereto.

(2) A certificate signed by the secretary of the Board purporting to record any determination or decision of the Board upon a matter within its competence shall be *prima facie* evidence of the making of that determination or decision by the Board. Certificates of secretary of Board.

32. The

Powers duties and functions of Board.

**32.** The powers duties and functions of the Board shall be such as are prescribed by or under this or any other Act.

Board to have powers of commissioners under commission.

**33.** For the purpose of carrying out its functions and duties under this Act the Board and the chairman thereof shall respectively have and may exercise the powers conferred by sections seventeen to twenty-one of the *Evidence Act* 1958 upon commissioners under a commission issued by the Governor in Council and upon the president or chairman of such a commission and the provisions of the said sections with the necessary modifications shall apply to and in relation to the Board and the chairman thereof accordingly.

Saving of members of Board from liability.

**34.** No member of the Board shall be liable to any action or suit whatsoever in respect of any act or thing done or omitted to be done in the exercise or purported exercise of any power or duty conferred or imposed on the Board or on any member or members of the Board by or under this or any other Act.

Annual reports.

**35.** (1) The Board shall once in every year within such period as is prescribed make to the Minister a report as to—

- (a) the number of persons released on parole during the prescribed period of twelve months and the number returned to youth training centres upon cancellations of parole during the said period ; and
- (b) the operation and activities of the Board and of youth parole officers generally during the said period of twelve months.

Special reports.

(2) The Board shall, whenever so required in writing, furnish to the Minister a report upon any special matter relating to the exercise of any power or function of the Board.

Youth parole officers.

**36.** (1) Subject to the *Public Service Act* 1958 there shall be appointed a chief youth parole officer and such other stipendiary youth parole officers as the Governor in Council thinks necessary for the purposes of this Act.

Direction and control of youth parole officers.

(2) The chief youth parole officer and all other youth parole officers shall in relation to any parole order be subject to direction by the Board, but shall otherwise be under the control of the Director-General and all stipendiary youth parole officers shall be under the immediate control of the chief youth parole officer.

(3) The

(3) The functions powers and duties of the chief youth parole officer and of stipendiary youth parole officers shall be as prescribed by this Division and the regulations thereunder.

Functions powers and duties of youth parole officers.

37. Every young person sentenced by any court to be detained in a youth training centre shall thereupon become and be subject to the jurisdiction of the Board.

Young persons in youth training centres subject to Youth Parole Board.

38. (1) Where immediately before the commencement of this Act any young person within the meaning of this Act is imprisoned in a gaol he shall upon the said commencement unless the Adult Parole Board considers it inappropriate so to do having regard to the nature of the offence for which such young person is imprisoned and to his age character and antecedents be transferred to a youth training centre.

Young persons in gaol may be transferred to youth training centre.

(2) Upon the recommendation of the Adult Parole Board or the Director-General that it is appropriate in the interests of any young person imprisoned in a gaol that he should be transferred to a youth training centre the Minister may direct that such young person be transferred to a youth training centre and thereupon such young person shall be so transferred.

(3) The provisions of sub-section (3) of section twelve of this Act shall, so far as applicable, apply to any transfer pursuant to the provisions of this section.

39. Where immediately before the commencement of this Act any young person within the meaning of this Act is under committal pursuant to the provisions of section twenty-eight of the *Children's Court Act* 1958 to the care of the Children's Welfare Department or to a juvenile school he shall upon the said commencement be deemed to be detained in a youth training centre as if such committal was a sentence of detention in a youth training centre and shall thereupon become and be subject to the jurisdiction of the Board.

Young persons under committal to Children's Welfare Department or a juvenile school deemed detained in a youth training centre.

40. Any young person transferred from a gaol to a youth training centre pursuant to the provisions of section thirty-nine of this Act shall thereupon become and be subject to the jurisdiction of the Board for the unexpired portion of his term of imprisonment in all respects as if the sentence of imprisonment imposed upon him was a sentence of detention in a youth training centre: Provided that where a minimum term has been fixed in relation to such young person pursuant to the provisions of section five hundred and thirty-four of the *Crimes Act* 1958 he shall not be eligible to be released on parole by the Board until he has served such minimum term either in a gaol or a youth training centre or both in a gaol and a youth training centre.

Young persons transferred to youth training centres to be subject to Youth Parole Board.

41. (1) The

Release on parole from youth training centre.

41. (1) The Board may in its discretion by order in writing (hereinafter called a "parole order") direct that any young person detained in any youth training centre (hereinafter called a "trainee") be released on parole at the time specified in the order and he shall be released accordingly :

Provided that the Board may revoke amend or vary any parole order before the trainee has been released thereunder, and any order so amended or varied shall apply accordingly.

Requirements of parole order.

(2) Any trainee so released shall during the period from his release until the expiration of the period of his detention (hereinafter called the "parole period") be under the supervision of a youth parole officer and shall comply with such requirements as are specified in the parole order in accordance with the regulations.

Assignment of youth parole officers.

(3) The chief youth parole officer shall assign a youth parole officer to supervise the trainee during the parole period and may from time to time so assign another youth parole officer in lieu of the youth parole officer previously assigned.

Trainees on parole deemed still under sentence.

42. If the parole period elapses without the making by the Board of an order cancelling the trainee's parole or the commission by the trainee, whether in Victoria or elsewhere, of any offence for which he is sentenced to imprisonment or detention (whether during or after the parole period) the trainee shall be regarded as having served his period of detention and shall *ipso facto* be wholly discharged therefrom ; but until the parole period so elapses or until he is otherwise discharged from his sentence of detention, a trainee released on parole shall be regarded as being still under sentence and as not having suffered the detention to which he was sentenced.

Cancellation of parole by order of the Board.

43. (1) Where a trainee is released on parole as aforesaid the Board may in its discretion at any time before the expiration of the parole period by order cancel his parole.

Cancellation of parole by conviction.

(2) Where the trainee is sentenced to a term of imprisonment or to a further period of detention in a youth training centre in respect of any offence committed during the parole period, whether in Victoria or elsewhere, his parole shall *ipso facto* be cancelled notwithstanding that the parole period may already have elapsed.

Warrant for return of trainee to youth training centre.

(3) Where a trainee's parole is cancelled by order of the Board or he is sentenced to a further period of detention in a youth training centre the Board may, whenever necessary, by warrant signed by any two members of the Board authorize any member of the police force or other officer to apprehend the

trainee



trainee and return him to a youth training centre to serve the unexpired portion of the period of his detention, and such warrant shall be sufficient authority for his apprehension and return to a youth training centre accordingly.

(4) Where a trainee's parole is cancelled the original warrant of commitment or other authority for his detention shall again be in force and no part of the time between his release on parole and his recommencing to serve the unexpired portion of the period of his detention shall be regarded as time served in respect of that period: Provided that in any case where sub-section (1) of section forty-eight of this Act applies the warrant or other authority shall in all respects be regarded as and taken to be a warrant or other authority for committal of the trainee to gaol.

Where parole cancelled time on parole not to count as part of sentence.

44. The Board may again release a trainee on parole notwithstanding that his parole has been cancelled on any prior occasion or occasions under the foregoing provisions of this Division in respect of the same period of detention.

Authority to release on parole more than once.

45. Where a trainee undergoing a sentence of detention in a youth training centre is convicted of another offence by any court and sentenced to a further period of detention in a youth training centre the Court in passing the subsequent sentence may direct that the detention imposed thereby be made concurrent with or cumulative upon the period of the prior sentence but in the absence of any such direction the period of the subsequent sentence shall be cumulative upon the period of the prior sentence.

Sentences of detention may be made concurrent or cumulative in certain cases.

46. No young person who is convicted of any offence whilst he is serving a term of imprisonment of more than three months or which is committed whilst he is on parole from a gaol pursuant to the provisions of Part IV. of the *Crimes Act* 1958 shall be sentenced to be detained in a youth training centre for any such offence.

Young person in gaol or committing offence whilst on parole from a gaol not to be sentenced to detention.

47. (1) Where a trainee (whether undergoing detention or on parole) is sentenced to a term of imprisonment in respect of any offence the Board may direct that the trainee shall serve the unexpired portion of the period of his detention as imprisonment in a gaol in addition to the term of imprisonment imposed and thereafter the trainee shall be subject to the jurisdiction of the Adult Parole Board as if the period of detention served by him prior to such sentence or his release on parole by the Board had been a minimum term fixed pursuant to the provisions of section five hundred and thirty-four of the *Crimes Act* 1958 and the parole pursuant to which he was released was an order of the Adult Parole Board.

Where trainee sentenced to imprisonment Board may order him to serve unexpired detention in gaol.

(2) Where

Suspension of service of detention where trainee sentenced to imprisonment.

(2) Where during the service of any sentence of detention in a youth training centre any young person is sentenced by any court to a term of imprisonment service of such sentence of detention shall be suspended until he has served the sentence of imprisonment in accordance with the provisions of section five hundred and thirty-five of the *Crimes Act 1958*.

Power to Minister on recommendation of Board to transfer trainees to gaol for unexpired period of detention.

48. (1) Upon the recommendation of the Board that it is appropriate, having regard to the antecedents and behaviour of any young person of or over the age of sixteen years detained in any youth training centre, that he should be transferred to a gaol to serve the unexpired portion of the period of his detention as imprisonment the Minister may direct that such young person be transferred to a gaol to serve the unexpired portion of the period of his detention as imprisonment and thereupon such young person shall be so transferred.

(2) The provisions of sub-section (3) of section twelve of this Act shall, so far as applicable, apply to any transfer pursuant to the provisions of this section.

(3) Any young person transferred to a gaol pursuant to the provisions of this section shall become and be subject to the jurisdiction of the Adult Parole Board as if the period of detention served by him prior to such transfer had been a minimum term fixed pursuant to the provisions of section five hundred and thirty-four of the *Crimes Act 1958*.

#### DIVISION 7.—MISCELLANEOUS PROVISIONS.

Penalty for communicating with inmates of youth training centres, trafficking, &c.

49. (1) Every person who without lawful authority or excuse—

(a) holds or attempts to hold any communication with any ward of the Branch in any reception centre children's home or school or with any trainee in any youth training centre or any inmate of a remand centre ;

(b) enters any such reception centre children's home or school or any building yard or ground belonging thereto and does not depart therefrom when required so to do by any person for the time being in charge thereof ;

(c) delivers or in any manner attempts to deliver to any such ward trainee or inmate or introduces or attempts to introduce or causes to be introduced into any reception centre children's home school youth training centre or remand centre any article or thing not allowed by the regulations ;

(d) in any manner takes or receives from any ward trainee or inmate for the purpose of conveying out of or

taking

taking away from any reception centre children's home school youth training centre or remand centre any article or thing whatsoever without the consent of the Director-General ;

- (e) delivers or causes to be delivered to any other person any article or thing whatsoever for the purpose of being introduced or conveyed as aforesaid or secretes or leaves upon or about any place where any such ward trainee or inmate is usually employed or detained any article or thing whatsoever for the purpose of being found or received by any such ward or inmate ;
- (f) at any time or in any manner contrary to the regulations conveys to or causes to be conveyed to any such ward trainee or inmate any article or thing whatsoever ; or
- (g) lurks or loiters about any reception centre children's home school youth training centre or remand centre for any of the purposes aforesaid—

shall be liable to a penalty of not more than One hundred pounds.

(2) Every person who without lawful authority or excuse enters any youth training centre or remand centre may be apprehended by any member of the police force or officer of the Branch without warrant and may by such member or officer be detained and kept in safe custody until he can be brought before a court of petty sessions which may hear and determine such offence ; and every such offender shall be liable to a penalty of not more than One hundred pounds or to imprisonment with or without hard labour for a term of not more than six months or to both such penalty and imprisonment.

50. (1) The Director-General may at any time order that any ward of the Branch or other person lawfully in his custody be examined to determine his medical physical or mental characteristics or defects.

Director-General may order persons in his custody to be medically examined.

(2) The Minister, the Director-General or any person authorized by the Minister in that behalf and notwithstanding the objection of any parent may consent to any surgical or other operation upon any person under the age of eighteen years lawfully in the custody of the Director-General which he is advised by a legally qualified medical practitioner is necessary in the interest of the health or welfare of any such person.

Consent to surgical operations, &c. on persons in custody of the Director-General.

(3) Arrangements may be made between the Minister and the Minister of Health whereby any necessary medical dental psychiatric and pharmaceutical services may be provided for any persons whatsoever in the custody care or control of the Director-General or the Branch or such voluntary organizations persons or classes of persons as are prescribed.

Arrangements for provision of medical, dental services, &c.

51. (1) The

Director-General may permit temporary leave to any person in his custody.

51. (1) The Director-General may, as he thinks fit, by writing under his hand permit any person in his legal custody to temporarily leave, with or without escort or supervision, the place where he is imprisoned detained or held in custody.

(2) Any permit under this section may contain such conditions limitations or restrictions as the Director-General thinks proper.

(3) Any person permitted temporary leave in accordance with the provisions of this section shall during such temporary leave be deemed to continue to be in legal custody.

(4) Any person who fails to return to the place of custody from which he was so released or is guilty of any contravention of or failure to comply with any other condition limitation or restriction contained in any such permit shall be deemed to have escaped from legal custody.

Obstructing, &c., officers in the execution of their duties an offence.

52. Every person who obstructs or hinders the Director-General or any officer of the Branch in the execution of his duties under this Act shall be guilty of an offence against this Act.

General offences and penalties.

53. (1) Every person who contravenes or fails to comply with any of the provisions of this Act or the regulations shall for every such contravention or failure be guilty of an offence against this Act.

(2) Every person guilty of an offence against this Act for which no penalty is specially provided shall be liable to a penalty of not more than Fifty pounds.

Regulations.

54. (1) The Governor in Council may make regulations for or with respect to—

(a) meetings of the Training Council and fees and allowances to be paid to members thereof ;

(b) prescribing courses of instruction and training necessary to qualify for certificates of qualification issued by the Training Council ;

(c) prescribing fees to be paid—

(i) by persons attending lectures classes courses schools and other activities conducted by the Branch ;

(ii) by candidates at examinations conducted by the Training Council and for the issue of diplomas and certificates of competency ;

(iii) for the provision of any services to be rendered by any Division of the Branch ;

(d) prescribing

- (d) prescribing such forms and documents as are necessary or expedient for the administration of this Act ;
- (e) the conduct management and supervision of youth training centres, remand centres and such other homes and institutions as are established under and pursuant to this Act or under the control of the Branch ;
- (f) the correction and control of young persons in youth training centres ;
- (g) providing for the admission of ministers of religion to youth training centres remand centres and other homes and institutions established under and pursuant to this Act for the purposes of the spiritual welfare and pastoral care of their respective inmates ;
- (h) the provision by the Branch of any services to the public or any persons or bodies of persons engaged in social welfare activities ;
- (i) prescribing the functions powers and duties of youth parole officers ;
- (j) prescribing the terms and conditions to be included in parole orders made under this Act ; and
- (k) generally any matter or thing authorized or required to be prescribed by this Act or necessary or expedient to be prescribed for carrying this Act into effect.

(2) All such regulations made under this Act shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament within fourteen days after the making thereof if Parliament is then sitting and if Parliament is not then sitting then within fourteen days after the next meeting of Parliament, and a copy of such regulations shall be posted to each member of Parliament.

Publication of regulations.

#### PART II.—SUPPLEMENTARY.

55. The *Children's Court Act* 1958 shall be amended as follows :—

Amendment of No. 6218 s. 3.

(a) In sub-section (1) of section three—

(i) after the interpretation of "Age" there shall be inserted the following interpretation :—

“Branch” means the Social Welfare Branch of the Chief Secretary's Department.’ ;

(ii) the interpretation of Department shall be repealed ;

(iii) the

(iii) the interpretations of " Juvenile school " and " reception centre " shall be repealed ;

(iv) after the interpretation of " Regulations " there shall be inserted the following interpretations :—

“ “ School ” and “ reception centre ” respectively mean school and reception centre under the *Children’s Welfare Act 1958.* ’ ; and

(v) after the interpretation of " Special magistrate " there shall be inserted the following interpretation :—

“ “ Youth training centre ” and “ Remand centre ” respectively mean youth training centre and remand centre under the *Social Welfare Act 1960.* ’ ;

(b) In sub-section (1) of section nine after the words " subject to the Minister " there shall be inserted the words " and to the Director-General of Social Welfare and the *Social Welfare Act 1960* " ;

(c) In sub-section (3) of section ten for the words " The Attorney-General " there shall be substituted the words " The Chief Secretary " ;

(d) In sub-section (1) of section twenty-six for the words " or juvenile school " there shall be substituted the words " or remand centre " ;

(e) In section twenty-eight—

(i) in sub-section (1)—

(a) in paragraph (c) after the word " birthday " there shall be inserted the expression—" and, in addition, if it thinks fit, order that the child pay such damages compensation and costs or any one or more of them as the Court thinks reasonable " ;

(b) in paragraph (e)—

(i) for the words " fifteen years " (where twice occurring) there shall be substituted the words " fourteen years " ; and

(ii) after the word " years " (where second occurring) there shall be inserted the words—

Amendment of No. 6218 s. 9. Probation officers, &c., subject to Director-General of Social Welfare.

Amendment of No. 6218 s. 10. Chief Secretary may transfer probation officers.

Amendment of No. 6218 s. 26.

Amendment of No. 6218 s. 28. Power to Court to order payment of damages, &c.

Lower age for payment of higher fine.

Power to order payment of damages, &c

words—" and, if it thinks fit, order that the child pay such damages compensation and costs or any one or more of them as the Court thinks reasonable" ;

(c) for paragraph (f) there shall be substituted the following paragraph :—

Committal to care of Branch or youth training centre, &c.

" (f) upon convicting him for an offence for which apart from this section a sentence of imprisonment may be imposed otherwise than in default of payment of a fine—

- (i) if he is under the age of fourteen years at the date of conviction, admit him to the care of the Branch ; or
- (ii) if he is of or over the age of fourteen years at the date of conviction, sentence him to be detained in a youth training centre for a period of not more than two years :

Provided that where the child 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

of not more than three years in respect of all such offences” ;

Repeal of power to imprison child over age of sixteen years.

(d) paragraph (g) shall be repealed ;

(e) in paragraph (h) for the word “ Department ” there shall be substituted the word “ Branch ” ;  
and

Repeal of provisions as to parole.

(ii) sub-sections (2) (3) (4) and (5) shall be repealed ;

Amendment of No. 6218 s. 29. Probation not to extend beyond nineteenth birthday.

(f) In sub-section (1) of section twenty-nine—

(i) for the word “ Department ” there shall be substituted the word “ Branch ” ; and

(ii) at the end of paragraph (b) there shall be inserted the words “ and not extending beyond his nineteenth birthday ” ;

(g) In section thirty for the word “ Department ” (where twice occurring) there shall be substituted the word “ Branch ” ;

Amendment of No. 6218 s. 34.

(h) In section thirty-four after the word “ he ” there shall be inserted the words “ shall be under the supervision of a probation officer assigned by the chief probation officer and ” ;

Amendment of No. 6218 s. 35. Child released on probation or bond to be under supervision of probation officer.

(i) In section thirty-five—

(i) in sub-section (1) for the words “ the supervision of a probation officer of the Court making such order or of a probation officer of some other Court who shall for that purpose be deemed to be a probation officer of the Court making the order as if he had been appointed for that Court ” there shall be substituted the words “ the supervision of a probation officer assigned by the chief probation officer ” ;

(ii) for sub-section (2) there shall be substituted the following sub-section :—

Chief probation officer may assign probation officers.

“ (2) Where the Court releases a child on probation the chief probation officer may assign a probation officer to be the probation officer in the case and may from time to time assign another probation officer in lieu of the probation officer previously assigned.” ; and

(iii) for



(iii) for sub-section (3) there shall be substituted the following sub-section :—

Where probation broken child may be brought before Court.

“(3) The chief probation officer may at any time in his own discretion and without warrant apprehend or cause to be apprehended any child under the supervision of any probation officer who appears to the chief probation officer to have broken any of the conditions of his probation or of his recognisance and bring him before the Court which made the order respecting the child for such further or other action as the Court may see fit to exercise.” ;

(j) In sub-section (2) of section thirty-seven for the words “fifteen years” (where twice occurring) there shall be substituted the words “fourteen years” ;

(k) For sub-section (1) of section forty-one there shall be substituted the following sub-section :—

Amendment of No. 6218 s. 41. Recovery of moneys ordered to be paid by children.

“(1) Where any child is ordered by a Children’s Court to pay any sum or sums of money by way of fine damages or compensation it may also order the child to pay the same either immediately or within such period as the Court thinks fit and in case the same is not paid at the time so appointed that the child shall be detained in a reception centre if he is under the age of fourteen years or detained in a remand centre if he is of or over the age of fourteen years for such a term not exceeding three months in any such case as in the opinion of the Court will satisfy the justice of the case.” ;

(l) In section forty-five—

(i) after the word “child” (where first occurring) there shall be inserted the words “under the age of fourteen years” ; and

Amendment of No. 6218 s. 45. Application of Police Offences Act 1958 to children.

(ii) after the word “child” (where occurring for the second time) there shall be inserted the words “of or over the age of fourteen years.”

56. The *Children’s Welfare Act* 1958 shall be amended as follows :—

Amendment of No. 6219 s. 3.

(a) In section one—

(i) the word “Juvenile” (where twice occurring) shall be repealed ; and

(ii) for

(ii) for the word "Department" (wherever occurring) there shall be substituted the word "Branch";

(b) In section three—

(i) in sub-section (1)—

(a) before the interpretation of "Child" there shall be inserted the following interpretation :—

“Branch” means the Social Welfare Branch of the Chief Secretary’s Department.’ ;

(b) the interpretation of "Department" shall be repealed ;

(c) for the interpretation of "Director" there shall be substituted the following interpretation :—

“Director-General” means Director-General of Social Welfare appointed pursuant to the *Social Welfare Act 1960.* ; and

(d) for the interpretation of "Ward of the Children’s Welfare Department" and "ward of the Department" there shall be substituted the following interpretation :—

“Ward of the Social Welfare Branch” and “ward of the Branch” means one of whose person and estate the Director-General is guardian under the provisions of this Act or the *Social Welfare Act 1960.* ;

(ii) sub-section (2) shall be repealed;

(c) In section four—

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

‘(a) to the "Children’s Welfare Department" or any like expression shall be deemed and taken to refer to and mean the Social Welfare Branch of the Chief Secretary’s Department ; ; and

Repeal of  
transitory  
provisions.  
Amendment of  
No. 6219 s. 4.  
Construction  
and  
references to  
Children’s  
Welfare  
Department or  
Secretary or a  
neglected  
child in Acts,  
documents, &c.

(ii) for

(ii) for paragraph (b) there shall be substituted the following paragraph :—

‘ (b) to the “ Director of Children’s Welfare ” or any like expression shall be deemed and taken to refer to and mean the Director-General of Social Welfare under the *Social Welfare Act 1960*; ’;

(d) Sections five, six, seven and eight shall be repealed ;

Repeal of administrative provisions.

(e) For paragraph (b) of section nine there shall be substituted the following paragraph :—

Amendment of No. 6219 s. 9.

“ (b) persons (not being officers or employes of the Branch) to be visitors to approved children’s homes and approved hostels.” ;

Visitors to approved homes and hostels.

(f) In section ten—

Amendment of No. 6219 s. 10.

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

“ (1) For the purposes of this Act the Minister shall constitute a Family Welfare Advisory Council consisting of not more than twelve members.” ;

Family Welfare Advisory Council.

(ii) in sub-section (6) for the words “ Children’s Welfare Department ” there shall be substituted the words “ Family Welfare Division of the Social Welfare Branch of the Chief Secretary’s Department ” ;

(g) In section twelve—

Amendment of No. 6219 s. 12

(i) in paragraphs (a) and (b) for the words “ Children’s Welfare Department ” there shall be substituted the words “ Social Welfare Branch of the Chief Secretary’s Department ” ;

(ii) for paragraph (c) there shall be substituted the following paragraph:—

“ (c) schools for the care and welfare of children and young persons admitted to the care of the Social Welfare Branch of the Chief Secretary’s Department who in the opinion of the Director-General are in need of special supervision social adjustment and training ; ” ;  
and

(iii) for

(iii) for paragraph (d) there shall be substituted the following paragraph:—

“(d) hostels for the accommodation and supervision of children or young persons who are wards of the Social Welfare Branch of the Chief Secretary’s Department or have been inmates of a youth training centre reception centre children’s home or school.” ;

Amendment of  
No. 6219 s. 13.  
Approval of  
houses, &c.,  
where children  
cared for  
apart from  
their parents.

(h) In section thirteen—

(i) in sub-section (1) for the words “ is a reception centre, children’s home or juvenile school ” there shall be substituted the words “ is a reception centre or children’s home or hostel ” ; and

(ii) in sub-section (2) after paragraph (d) there shall be inserted the following expression :—  
“ ; and

(e) any institution wholly maintained by the State of Victoria.” ;

Amendment of  
No. 6219 s. 14.

(i) In section fourteen—

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

“(1) Upon application in the prescribed form made by the person or organization conducting or proposing to conduct a home school or hostel hereinafter provided for, the Minister may for the purposes of this Act—

(a) declare as an approved children’s home, any existing or proposed orphanage home for children or like institution or establishment which is or is to be conducted by any person or organization for the purpose of caring, whether gratuitously or otherwise, for children or young persons apart from their parents or guardians :

Provided that the Minister shall not have power to declare as an approved children’s home any institution or

establishment

Declaration by  
Minister of  
approved  
children’s  
homes and  
approved  
hostels.

establishment conducted wholly for educational purposes or as a hospital or convalescent home ;

(b) declare as an approved school any existing or proposed school or like institution or establishment which is or is to be conducted by any person or organization for the purpose of providing for and promoting the welfare and care of children or young persons admitted to the care of the Branch who in the opinion of the Director-General are in need of special supervision social adjustment and training ;

(c) declare as an approved hostel, any existing or proposed hostel or like institution which is or is to be conducted by any person or organization for the accommodation and supervision of children and young persons who are wards of the Branch or have been inmates of a children's home, an approved school, a reception centre, remand centre or youth training centre." ;

(ii) in sub-section (2) for the words " Children's Welfare Advisory Council " there shall be substituted the words " Family Welfare Advisory Council " ;

(iii) in sub-section (3)—

(a) for the word " Director " there shall be substituted the expression " Director-General " ; and

(b) for the words " Children's Welfare Department " (wherever occurring) there shall be substituted the word " Branch " ;

(j) In section fifteen—

(i) the word " juvenile " (where twice occurring) shall be repealed ;

Amendment of  
No. 6219 s. 15.

(ii) for

- (ii) for the word "Department" there shall be substituted the word "Branch";
- (iii) for the word "Director" (wherever occurring) there shall be substituted the expression "Director-General"; and
- (iv) for the words "Children's Welfare Advisory Council" there shall be substituted the words "Family Welfare Advisory Council";

Amendment of  
No. 6219 s. 16.

- (k) In paragraph (i) of section sixteen the words "is living under such conditions as indicate that the child or young person" shall be repealed;

Amendment of  
No. 6219 s. 17.

- (l) In section seventeen—

- (i) after sub-section (1) there shall be inserted the following sub-section :—

Justice may  
issue warrant  
to search  
for children,  
&c., in need of  
care and  
protection.

"(1A) If it appears to any justice, on information made before him on oath by any person, that there is reasonable cause to suspect that a child or young person is in any place within the jurisdiction of such justice in any of the circumstances enumerated in the last preceding section he may issue a warrant authorizing any senior constable sergeant or other officer of police of higher rank named therein to enter (if need be, by force) any house building or other place specified in such warrant for the purpose of apprehending any such child or young person." ; and

- (ii) for sub-section (3) there shall be substituted the following sub-section :—

Disposal of  
children and  
young persons  
apprehended  
under warrant.

"(3) Any child or young person who is apprehended under this section shall if he is under the age of fourteen years be taken to the nearest reception centre or if he is of or over the age of fourteen years but under the age of seventeen years to a remand centre or pursuant to the provisions of section twenty-five of the *Children's Court* 1958 admitted to bail, placed with some respectable person or persons or in the dwelling house of the member of the police force by whom such child or young person was apprehended or otherwise as provided by the said section twenty-five and as soon as practicable thereafter shall

be brought before the Court : Provided that the Director-General may, where he thinks it advisable so to do in the interests of a young person, transfer any such young person from a remand centre to a reception centre.” ;

(m) In section eighteen—

- (i) for the words “ Children’s Welfare Department ” (where twice occurring) there shall be substituted the word “ Branch ” ;
- (ii) for the word “ Director ” there shall be substituted the expression “ Director-General ” ; and
- (iii) for the word “ Department ” (where twice occurring) there shall be substituted the word “ Branch ” ;
- (iv) in sub-section (2) after the expression “ sub-section (1) of this section ” there shall be inserted the expression “ or pursuant to the provisions of the *Children’s Court Act 1958* ” ;

(n) In section nineteen—

- (i) in sub-section (1) the words “ and admitted to the care of the Children’s Welfare Department ” shall be repealed ;
- (ii) for sub-section (2) there shall be substituted the following sub-section :—
 

“ (2) If the child or young person does not appear before the Court for the hearing of the application at the time and place therein mentioned the Court may issue a warrant for the apprehension of such child or young person and such child or young person may upon apprehension be taken to the nearest reception centre or otherwise disposed of in accordance with the *Children’s Court Act 1958* and as soon as practicable thereafter shall be brought before the Court.” ; and
- (iii) after sub-section (2) there shall be inserted the following sub-section :—
 

“ (3) On the hearing of the application the Court may grant or refuse such

application

Amendment of  
No. 6219 s. 19.  
Proceedings in  
relation to  
uncontrollable  
children.

application and if satisfied by the evidence before it that the child or young person is uncontrollable may—

- (a) without convicting him order that he be admitted to the care of the Branch as a child or young person in need of care and protection ; or
- (b) without convicting him adjourn the proceedings for a period not exceeding two years on condition that he will during that period be of good behaviour and comply with such other conditions, if any, as the Court thinks proper to impose ; or
- (c) without convicting him release him on probation for a specified term not exceeding three years and not extending beyond his nineteenth birthday.” ;

Amendment of  
No. 6219 s. 20.

(o) In section twenty—

- (i) in sub-section (1) for the words “ Children’s Welfare Department ” there shall be substituted the word “ Branch ” ;
- (ii) for sub-section (6) there shall be substituted the following sub-section :—

Director-General  
to consider  
application for  
admission of  
child to  
Department.

“ (6) (a) The Director-General shall consider the application and (where the application has been referred to a magistrate) the report and recommendation of the magistrate and may, if he thinks fit, by direction endorsed on the application and signed by him grant the application or refuse the same.

(b) In the case of any such refusal the applicant may within fourteen days from the day of such refusal appeal to the Minister against such refusal and the Minister may grant or refuse such application as he thinks fit.” ;

- (iii) for sub-section (7) there shall be substituted the following sub-section :—

“ (7) The granting of any application by the Director-General or by the Minister on appeal from the Director-General shall for all purposes be deemed to be an order admitting the child to the care of the Branch.” ;

(iv) in

Granting of  
application  
deemed order  
admitting  
child to the care  
of Social  
Welfare Branch.



(iv) in sub-section (8)—

(i) for the word “Department” there shall be substituted the word “Branch”; and

(ii) the words “by the Minister” shall be repealed ;

(v) for sub-section (10) there shall be substituted the following sub-section :—

“(10) Where a child (not being a ward of the State) is an inmate in a children’s home and any parent guardian or other person who has undertaken in writing to contribute to the maintenance of the child is in arrear of contributions of maintenance for a period of or periods aggregating not less than six months the person in charge of such home may make application in the prescribed form that the child be admitted to the care of the Branch and thereupon the provisions of this section except sub-section (1) shall apply as if the child were without sufficient means of support and no available legal proceedings could be taken to obtain sufficient means of support for such child.” ; and

Admission of child to care of Branch on application of person in charge of children’s home in cases where parent in arrear of maintenance.

(vi) in sub-sections (1) (2) (3) (4) (5) and (8) for the word “Director” there shall be substituted the expression “Director-General” ;

(p) In section twenty-one—

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

“(1) The Director-General shall to the exclusion of the father mother and every other guardian become and be the guardian of the person and estate of any child or young person admitted to the care of the Branch or admitted or committed to the care of the Children’s Welfare Department prior to the commencement of the *Social Welfare Act* 1960 and except where prior to the commencement of the *Social Welfare Act* 1960 the child or young person was

Amendment of No. 6219 s. 21.

Director-General to be guardian of persons of children and young persons admitted to the Branch.

committed

committed to the care of the Children's Welfare Department or to a juvenile school for a specified term or period in respect of an offence shall remain such guardian until the child or young person attains eighteen years of age or such greater age (not exceeding twenty-one years) as the Minister may direct unless such child or young person is sooner discharged." ;

(ii) in sub-section (2)—

(a) the words "or committed" shall be repealed ;

(b) for the word "Department" there shall be substituted the word "Branch" ; and

(c) for the word "Director" there shall be substituted the expression "Director-General" ; and

(iii) in sub-section (3) for the word "Director" there shall be substituted the expression "Director-General" ;

(q) In section twenty-four—

(i) for the words "Children's Welfare Department" there shall be substituted the word "Branch" ; and

(ii) the words "or committed" shall be repealed ;

(r) In section twenty-five—

(i) for the words "Children's Welfare Department" there shall be substituted the word "Branch" ;

(ii) for the word "Department" (where first occurring) there shall be substituted the word "Branch" ;

(iii) for paragraph (c) there shall be substituted the following paragraph :—

"(c) Place him with the approval of the Minister in any remand centre youth training centre or any institution wholly maintained by the State ;" ;

(iv) the word "juvenile" shall be repealed ;

(v) in paragraph (g) for the words "some person" there shall be substituted the words "some suitable person" ;

(vi) after

Amendment of  
No. 6219 s. 25.

Placement of  
children  
admitted to  
Department.

- (vi) after paragraph (g) there shall be inserted the following paragraph :—
- “(h) Place him in a registered house within the meaning of Part VII. of this Act.” ;
- (vii) for the word “ Director ” there shall be substituted the expression “ Director-General ” ; and
- (viii) after paragraph (h) there shall be inserted the following words :—
- “ In placing any child or young person pursuant to the provisions of this section the welfare of the child shall be the first and paramount consideration and any provision made for the physical intellectual and spiritual development of any such child or young person or for his employment shall be such as a good parent would make for his child.” ;
- (s) In sub-section (2) of section twenty-six for the word “ Department ” there shall be substituted the word “ Branch ” ;
- (t) In section twenty-seven for the word “ Department ” there shall be substituted the word “ Branch ” ;
- (u) In section twenty-eight for the word “ Department ” (where twice occurring) there shall be substituted the word “ Branch ” ;
- (v) In section twenty-nine—
- (i) for the words “ Children’s Welfare Advisory Council ” there shall be substituted the words “ Family Welfare Advisory Council ” ; and
- (ii) for the words “ juvenile schools ” there shall be substituted the words “ children’s or young persons’ hostels and registered houses within the meaning of Part VII. of this Act ” ;
- (w) For section thirty there shall be substituted the following section :—
- “ 30. Where any child is without sufficient means of support and no available legal proceedings can be taken to obtain sufficient means of support for such child any parent or other individual person who has the care and custody of any such

Amendment of  
No. 6219 s. 27.

Amendment of  
No. 6219 s. 29.

Amendment of  
No. 6219 s. 30.

Application by  
parent or other  
person for  
allowance for  
child without  
sufficient means  
of support.

child

child may make an application in the prescribed form to the Director-General that a weekly sum be paid to him or her towards the maintenance of such child."

Amendment of  
No. 6219 s. 11.

(x) In section thirty-one—

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

"(1) The Director-General shall on receipt of any such application make or cause to be made such inquiries as he thinks proper." ;

(ii) in sub-section (2) for the word " Director " (where twice occurring) there shall be substituted the expression " Director-General " ;

Inquiries on  
applications  
for allowances.

Amendment of  
No. 6219 s. 34.

(y) For section thirty-four there shall be substituted the following section :—

" 34. (1) The Director-General shall consider the application and (where the application has been referred to a magistrate) the report and recommendation of the magistrate and may, if he thinks fit, grant the application with such modifications and subject to such conditions (if any) as he thinks fit or may refuse the application.

Applications  
for allowances  
for children in  
necessitous  
circumstances.

(2) In any case where the Director-General considers that it would be in the best interests of any child so to do he may grant any such application but direct that all or any part of the weekly sum granted to the applicant towards the maintenance of such child be paid in any manner determined by the Director-General.

(3) Any applicant may within fourteen days from the determination of his application by the Director-General appeal to the Minister against such determination and the Minister may grant refuse or vary any such determination as he thinks fit." ;

(z) In sub-section (1) of section thirty-nine for the words " Children's Welfare Department " there shall be substituted the word " Branch " ;

Amendment of  
No. 6219 s. 43.

(aa) In section forty-three—

(i) in sub-section (1)—

(a) the words " or committed " (wherever occurring) shall be repealed ;

(b) the words " or committal " shall be repealed ;

(c) for

(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.

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

(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*."

Parent of child committed to continue liable for maintenance.

(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 :—

Amendment of No. 6219 s. 58.

'58. In this Part unless inconsistent with the context or subject-matter—

Interpretations.

"Approved person" means a representative of a body or organization which representative and body or organization

"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 :—

Amendment of No. 6219 s. 67.

“ 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 :—

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 ” ;

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.

(a0) 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

(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 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”;
- (c) section nine shall be repealed ;

Amendment of No. 6259 s. 7.

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

Amendment of No. 6259 s. 10.

Amendment of No. 6259 s. 12.

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. 32.

(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 :—

Establishment  
of Youth  
Advisory  
Council.

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

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

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

(d) After

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(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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