



AUSTRALIAN CAPITAL TERRITORY

Community Advocate (Amendment) Act 1994

No. 18 of 1994

An Act to amend the *Community Advocate Act 1991*

[Notified in ACT Gazette S87: 20 May 1994]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Community Advocate (Amendment) Act 1994*.

Commencement

2. This Act commences on the day on which the *Children's Services (Amendment) Act 1994* (other than sections 1 and 2) commences.

Principal Act

3. In this Act, "Principal Act" means the *Community Advocate Act 1991*.¹

Functions

4. Section 13 of the Principal Act is amended by inserting after paragraph (1) (e) the following paragraphs:

- "(ea) to monitor the provision of services for the protection of children;
- (eb) to act as advocate for the rights of children;"

Investigations

5. Section 14 of the Principal Act is amended—

(a) by omitting from paragraph (1) (a) “or”; and

(b) by inserting after paragraph (1) (a) the following paragraph:

“(ab) the provision of services for the protection of children; or”.

Insertion

6. After section 16 of the Principal Act the following section is inserted in Part III:

Notification by Community Advocate of cases of child abuse

“16A. Where a person in good faith notifies the Community Advocate of the suspected or actual sexual or physical abuse of a child, or of such circumstances as the Community Advocate believes, on reasonable grounds, may make it appropriate that action be taken with respect to the child under the *Children’s Services Act 1986*, the Community Advocate shall, as soon as practicable, notify the Director of Family Services of that suspected or actual abuse or those circumstances.”.

Further amendments

7. The Principal Act is amended as set out in the Schedule.

SCHEDULE

Section 7

FURTHER AMENDMENTS

Subsection 4 (2)—

Insert “Community” before “Advocate”.

Paragraphs 6 (2) (a) and (b)—

Insert “Community” before “Advocate”.

Subsection 9 (2)—

Insert “Community” before “Advocate” (wherever occurring).

Subsection 9 (3)—

Insert “Community” before “Advocate”.

Paragraphs 10 (1) (a) and (b)—

Insert “Community” before “Advocate”.

Subsection 10 (2)—

Insert “Community” before “Advocate”.

Paragraph 13 (1) (h)—

Insert “Community” before “Advocate”.

Subparagraph 13 (1) (k) (i)—

Insert “Community” before “Advocate”.

Paragraph 13 (1) (n)—

Insert “Community” before “Advocate”.

Subsections 13 (2) and 14 (2)—

Insert “Community” before “Advocate”.

Section 15—

Insert “Community” before “Advocate” (last occurring).

Subsection 17 (1)—

Insert “Community” before “Advocate” (last occurring).

Paragraphs 18 (b) and (c)—

Insert “Community” before “Advocate”.

SCHEDULE—continued**Subsection 19 (1) (paragraphs (b) and (c) of the definition of “person to whom this section applies”)—**

Insert “Community” before “Advocate”.

Subsection 20 (1)—

Insert “Community” before “Advocate” (second and last occurring).

Subsection 20 (2)—

Insert “Community” before “Advocate”.

Subsection 20 (3)—

Insert “Community” before “Advocate” (first occurring).

Paragraph 20 (3) (a)—

Insert “Community” before “Advocate”.

NOTE

1. Act No. 64, 1991.

[Presentation speech made in Assembly on 14 April 1994]