



AUSTRALIAN CAPITAL TERRITORY

# Community Advocate (Amendment) Act 1994

No. 18 of 1994

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## 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*.<sup>1</sup>

**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).

**SCHEDULE**—continued**Paragraphs 18 (b) and (c)**—

Insert “Community” before “Advocate”.

**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”.

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**NOTE**

1. Act No. 64, 1991.

*[Presentation speech made in Assembly on 14 April 1994]*