

1997

**THE LEGISLATIVE ASSEMBLY OF
THE AUSTRALIAN CAPITAL TERRITORY**

CHILDREN'S SERVICES (AMENDMENT) BILL (NO.2) 1997

EXPLANATORY MEMORANDUM

Circulated by the authority of the Attorney General

Gary Humphries MLA

Children's Services (Amendment) Bill (No. 2) 1997

Explanatory Memorandum

Outline

The Children's Services (Amendment) Bill (No.2) 1997 (the Bill) amends the *Children's Services Act 1986* (the Act) so that fines imposed on children may be recovered under the new fine recovery scheme proposed by the Magistrates Court (Amendment) Bill (No.2) 1997.

Financial Implications

Nil

Notes on Clauses

Formal provisions

Clauses 1, 2 and 3 are formal clauses setting out the short title of the Act, providing for the commencement of its provisions and providing that references in the Act to "the Principal Act" are references to the *Children's Services Act 1986*.

Commencement

Subclause 2(2) provides that the substantive provisions of the Bill will commence on the day on which the substantive provisions of the Magistrates Court (Amendment) Act (No.2) 1997 commence.

Fines and like orders

Clause 4 amends section 52 of the Act, which deals with the making of orders imposing a fine on a child, so that the current definition of "fine" is replaced by a definition to the effect that "fine" has the same meaning as "fine" in Division 2 of Part IX of the *Magistrates Court Act 1930*.

committed to an institution, unless the fine is remitted. A child will be committed to an institution for a period calculated at the rate of one day for each \$100 or part thereof outstanding or 30 days whichever is the lesser.

Application

Clause 7 applies the new enforcement procedures only to fines imposed on or after the commencement of the new enforcement scheme.