

AUSTRALIAN CAPITAL TERRITORY

CHILD WELFARE AGREEMENT ORDINANCE 1962

EXPLANATORY MEMORANDUM

No. 12 of 1962

The Child Welfare Agreement Ordinance 1941 ratified an Agreement made in 1941 between the Commonwealth of Australia and the State of New South Wales providing for the reception, detention and maintenance, in New South Wales institutions, of children under 18 years of age committed to institutions by courts of the Australian Capital Territory.

The Child Welfare Ordinance 1957 made new provisions for the welfare of children and the control of juvenile offenders and repealed New South Wales legislation applying in the Australian Capital Territory. To enable these provisions to be fully applied it was necessary to negotiate an agreement, varying the Agreement scheduled to the 1941 Ordinance. A supplemental agreement has now been executed by the State of New South Wales and the Commonwealth, and the purpose of this Ordinance is to ratify the supplemental agreement.

The main operative clauses of the Supplemental Agreement are contained in clauses 3 and 4. Clause 3 provides for the custody of children and young persons “admitted to government control” – defined in the Child Welfare Ordinance 1957 as admission to the control of the Minister for the purpose of being apprenticed, boarded out, placed out or placed as an adopted boarder. Clause 4 varies the provisions for the payment by the Commonwealth to the State of the cost of maintaining children and young persons admitted to State institutions.

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