

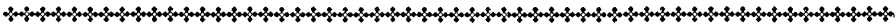


CHILD WELFARE AMENDMENT ACT 1982

No. 36 of 1982

TABLE OF PROVISIONS

1. Short title.
2. Insertion in *Child Welfare Act* 1960 of new section 33A.
 - 33A. Temporary orders in respect of neglected or uncontrolled children.



AN ACT to amend the Child Welfare Act 1960 for the purpose of conferring further powers on children’s courts in respect of neglected and uncontrolled children.

[Royal Assent 19 October 1982]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Child Welfare Amendment Act* Short title. 1982.

Insertion in
Child Welfare
Act 1960
of new
section 33A.

2—After section 33 of the *Child Welfare Act 1960**, the following section is inserted:—

Temporary
orders in
respect of
neglected or
uncontrolled
children.

33A—(1) If a children's court is not in a position to decide whether or not a child brought before it—

(a) under section 32 is a neglected child; or

(b) under section 33 is beyond the control of the person who has the care or custody of the child,

the court may, if it thinks it in the interests of the child to do so, make a temporary order authorizing the child to be detained in custody in the charge of the Director.

(2) Subject to subsection (3), a temporary order made under subsection (1) remains in force for such period, not exceeding 7 days, as is specified in the order.

(3) The court may extend a temporary order made under subsection (1) for a further period not exceeding 7 days—

(a) if the court is satisfied that the circumstances are exceptional, at the request of the Director; or

(b) at the request of a parent, guardian, or relative of the child, or the person who has the care or custody of the child.

(4) Where an order is extended under subsection (3), the court may, at the request of a person referred to in subsection (3) (b), grant a further extension for a period not exceeding 7 days if it thinks it in the interests of the child to do so.

(5) At the expiry of a temporary order made under subsection (1) or a temporary order extended under subsection (3) or (4), the court shall proceed in respect of the child in accordance with section 34.

* No. 48 of 1960. For this Act, as amended to 1st October 1977, see the Continuing Reprint of Statutes.