

STATUTORY RULES.

1952. No. 70.

REGULATIONS UNDER THE IMMIGRATION (GUARDIANSHIP OF CHILDREN) ACT 1946-1952.*

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Immigration (Guardianship of Children) Act* 1946-1952.

Dated this thirteenth day of August, 1952.

W. J. McKELL
Governor-General.

By His Excellency's Command,

HOWARD BEALE

For and on behalf of the Minister of State for Immigration.

AMENDMENTS OF THE IMMIGRATION (GUARDIANSHIP OF CHILDREN) REGULATIONS.†

1. Regulation 3 of the Immigration (Guardianship of Children) Regulations is amended—

(a) by omitting paragraphs (d) and (e) of the definition of "authority" and inserting in their stead the following paragraphs:—

"(d) in relation to the State of South Australia—the Children's Welfare and Public Relief Board of that State;

(e) in relation to the State of Western Australia—the Secretary of the Child Welfare Department of that State;"; and

(b) by omitting the definition of "the Act" and inserting in its stead the following definition:—

"the Act" means the *Immigration (Guardianship of Children) Act* 1946-1952;".

2. After regulation 3 of the Immigration (Guardianship of Children) Regulations the following regulation is inserted:—

"3A. For the purposes of section 4A of the Act, each of the following is a prescribed officer:—

(a) the Director of the Child Welfare Department of the State of New South Wales;

(b) the Secretary of the Children's Welfare Department of the State of Victoria;

Prescribed officer for the purposes of section 4A of the Act.

† Statutory Rules 1946, No. 195.

* Notified in the *Commonwealth Gazette* on 14th August, 1952, 2129.—PRICE 3d.

- (c) the Director of the State Children Department of the State of Queensland;
- (d) the Chairman of the Children's Welfare and Public Relief Board of the State of South Australia;
- (e) the Secretary of the Child Welfare Department of the State of Western Australia;
- (f) the Director of Social Services of the State of Tasmania;
- (g) the Secretary to the Department of the Interior, Australian Capital Territory; and
- (h) the Administrator of the Northern Territory."

Effect of
Child Welfare
laws.

3. Regulation 4 of the Immigration (Guardianship of Children) Regulations is amended by inserting after the words "by him" the words "or it".

Custodian to
retain custody
of children.

4. After regulation 6 of the Immigration (Guardianship of Children) Regulations the following regulation is inserted:—

"6A.—(1.) The custodian of an immigrant child shall not, without the consent of the authority of the State in which the custodian is resident, place the child in the care of another person.

"(2.) A person in whose care an immigrant child has been placed by the custodian of the child shall afford to the authority of the State in which he resides, or a person authorized by that authority, all reasonable facilities for inspecting the conditions under which the child is living and for ascertaining whether the duties and obligations of the custodian are being fulfilled."

Consent to
removal out
of State or
Territory.

5. Regulation 9 of the Immigration (Guardianship of Children) Regulations is amended by omitting sub-regulation (1.) and inserting in its stead the following sub-regulation:—

"(1.) Except with the consent of the authority of the State in which he is registered, the custodian of an immigrant child shall not remove or send the child out of that State, or permit the child to go or be removed out of that State."

6. Regulation 11 of the Immigration (Guardianship of Children) Regulations is repealed and the following regulations are inserted in its stead:—

Child
absconding, &c.,
to another
State or
Territory.

"11. If an immigrant child—

- (a) has absconded;
- (b) has been unlawfully removed from the custody of his custodian; or
- (c) without the consent of the authority of the State in which his custodian is registered, has been removed from, or has left, that State,

and is found anywhere in Australia, a member of the Police Force of a State or Territory of the Commonwealth, or a person authorized by an authority to act under this regulation, may apprehend the child, hold him in custody and hand him over to a person or authority entitled to custody of the child.

“11A. The master, owner or agent of a vessel or aircraft who has reason to suspect that a passenger or intending passenger by the vessel or aircraft for a place outside the Commonwealth is an immigrant child and is leaving the State in which his custodian is registered without the consent of the authority of that State shall, before the departure of the vessel or aircraft, give notice in writing to that authority stating the name of the passenger or intending passenger and his reason for suspecting that the passenger or intending passenger is such an immigrant child.”

Notice where child suspected to be leaving the Commonwealth without consent.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.