

No. IX.

STATE CHILDREN
RELIEF.

An Act to amend an Act to establish a system of Boarding-out Children. [10th September, 1896.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Age for
apprenticeship.

1. The age at which children are retained under the provisions of the Principal Act shall be extended to fourteen years at the discretion of the board.

Regulations.

2. It shall be lawful for the Governor to frame regulations from time to time—

- (I) exempting any boarded-out child from apprenticeship and extending the time for a period not exceeding three years during which such child may be maintained;
- (II) prescribing the terms and conditions of indentures of apprenticeship of boarded-out children, with power to transfer such apprentices or to cancel their indentures in case of ill-treatment of the children, or for other sufficient cause;
- (III) authorising the board to deduct from payments due to apprentices in the event of misconduct;
- (IV) defining the mode of procedure for the recovery of wages due to apprentices;
- (V) and generally for the purpose of enabling the board to carry out the objects of the Principal Act and of this Act in regard to apprenticed children.

And all such regulations, upon publication in the *Gazette*, shall so far as the same are not inconsistent with the provisions of this or the Principal Act, have the full force of law, and shall be laid before Parliament within fourteen days after the making thereof, if Parliament be then in session, and if not, within fourteen days after the commencement of the then next ensuing session of Parliament.

State Children Relief.

3. The board shall have power to visit and inspect all children for two years after their official period of boarding-out or apprenticeship shall have terminated.

Extension of period of supervision.

4. If any person shall directly or indirectly withdraw from, or counsel, or induce any apprentice to abscond from the person to whom such apprentice is indentured before the expiration of his term of apprenticeship, or knowing any apprentice to have so withdrawn or to have so absconded shall harbour or conceal such apprentice or prevent him from returning to the person to whom he was apprenticed or to the place of his original detention (as the case may be) such person shall be liable for any such offence to a penalty not exceeding twenty pounds, or to be imprisoned with or without hard labour for any term not exceeding two months.

Penalty for withdrawing, harbouring, &c., apprentices.

5. It shall be lawful for any justice of the peace to issue a warrant for the arrest of any apprentice or boarded-out or adopted child who may have absconded or been illegally removed by parents or other persons from the control of the legal guardian under the provisions of this or the Principal Act.

Power of arrest of absconding apprentices, &c.

6. All moneys and other property to which children boarded-out, adopted, or apprenticed shall be entitled shall be placed to a separate fund, and shall be under the control of the board for the benefit and maintenance of such children.

Money and other property of State children to be controlled by board.

7. At the discretion of the board parents on the restoration of their children may be compelled to pay the value of their outfits.

Payment for outfits by parents on restoration of their children.

8. It shall be lawful for the board to deduct from the payments due to the guardians such amounts as may be deemed equivalent to the loss occasioned by their neglect to keep outfits up to regulation standard.

Power to compel payment for neglect of care of outfits by guardians.

9. Whenever a child is surrendered by his parents for adoption such parents shall have no further control over such child, except by the consent of the board.

Parents to have no further control of children after adoption.

10. It shall be lawful for the board if it shall think fit to board-out to deserving widows and deserted wives their own children under the provisions of the Principal Act, but in the latter class of cases only by an unanimous vote of a meeting of the board and with the approval of the Colonial Secretary.

Deserving widows and deserted wives may have their children boarded-out to them.

11. It shall be lawful for the board to place invalid or sick children under its control in cottage homes in approved localities, and to make the necessary regulations for their management.

Children placed in cottage homes.

12. The board shall in the name of its boarding-out officer have power to institute legal proceedings against all parents for moneys expended in the maintenance of their children when satisfied that they are in a position to pay for such maintenance.

Prosecution of defaulting parents.

13. The board may in the name of the boarding-out officer institute legal proceedings against the parents of illegitimate children for the recovery of maintenance money; the father and the mother to be liable jointly or severally.

The like in the case of illegitimate children.

14. Every person offending against any of the provisions of this Act may be prosecuted, and every penalty or punishment incurred thereunder may be imposed before and by any stipendiary or police magistrate or any two justices in a summary way upon the complaint of any constable or other person authorised by the board.

Offences how prosecuted.

15. This Act may be cited as the "State Children Relief Act of 1896," and shall be construed as one with the State Children Relief Act of 1881. The words "Principal Act" shall be held to mean the Act forty-fourth Victoria number twenty-four, and the expression "apprentice" shall be held to mean any boarded-out child under articles of indenture under the provisions of this or the Principal Act.

Short title and interpretation.