

Act No. 15, 1901.

INFANT CONVICTS
ADOPTION.

An Act to consolidate the enactments providing for the care and education of infants who may be convicted of felony or misdemeanour. [4th October, 1901.]

BE it enacted by the King'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 :—

Short title.

1. This Act may be cited as the "Infant Convicts Adoption Act, 1901."

Repeal.

2. The Act mentioned in the Schedule hereto is hereby repealed.

Interpretation.

3. In this Act,—

"Court" means the Supreme Court.

"Judge" means Judge of the Supreme Court.

Court or Judge may order infant convict to be assigned to the care of a person other than parent or guardian.

13 Vic. No. 21, s. 1.

4. (1) Whenever any infant under the age of nineteen years is convicted of felony or misdemeanour the Court or a Judge may if of opinion that it will be for the infant's benefit make an order assigning the care or custody of such infant during his minority or part thereof to any applicant who is willing to take charge of him and provide for his maintenance and education.

Infant Convicts Adoption.

(2) The Court or Judge in dealing with such application shall have regard to the prevention of crime the age of the infant and the circumstances habits and character of his parents or testamentary or natural guardian. Court to regard certain matters. 13 Vic. No. 21, s. 1.

(3) The Court or Judge may attach to every order such terms and conditions and such regulations respecting the maintenance education and care of the infant as it or he thinks proper and shall in every case direct that the infant shall not during the continuance of the order be sent beyond the seas or out of the jurisdiction of the Court. Court may attach terms to order. *Ibid.* Infant not to be sent beyond seas. *Ibid.* s. 2.

5. Every order shall be binding upon the father and testamentary or natural guardian of the infant and no person shall be entitled to use or exercise over the infant any power or control inconsistent with the order. Operation of order. *Ibid.* s. 1.

6. The Court may at any time rescind any order or from time to time rescind or vary the terms conditions or regulations attached thereto. Court may rescind order or vary terms. *Ibid.*

7. (1) The Court may if any application does not appear to be well founded award costs against the applicant. Costs may be awarded. *Ibid.*

(2) Such costs shall be payable to any parent or testamentary or natural guardian who opposes the application.

8. (1) No fee reward emolument or gratuity whatsoever shall be demanded taken or received by any officer or Minister of the Court for any matter or thing done in the Court or by or before a Judge in pursuance of this Act. No fee to be taken by officer of court. *Ibid.* s. 3.

(2) Upon the making or opposing of any application a Judge may assign counsel and attorney to advise and carry on or to oppose the application who are hereby required to do their duties therein without fee or reward. Counsel and attorney may be assigned. *Ibid.*

9. Nothing contained in this Act shall affect or in any manner interfere with the execution of the sentence passed upon such infant upon his conviction. The Act not to interfere with execution of sentence. *Ibid.* s. 4.

SCHEDULE.

Reference to Act.	Title.	Extent of repeal.
13 Vic. No. 21 ...	An Act to provide for the Care and Education of Infants who may be convicted of Felony or Misdemeanour.	The whole Act.