

COMMUNITY WELFARE (AMENDMENT) ACT 1988 No. 8

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Amendment of Community Welfare Act 1987 No. 52
- SCHEDULE 1—AMENDMENTS
-

COMMUNITY WELFARE (AMENDMENT) ACT 1988 No. 8

NEW SOUTH WALES



Act No. 8, 1988

An Act to amend the Community Welfare Act 1987 in relation to the provision of assistance and services under that Act and for other purposes.
[Assented to 16 June 1988]

Community Welfare (Amendment) 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Community Welfare (Amendment) Act 1988.

Amendment of Community Welfare Act 1987 No. 52

2. The Community Welfare Act 1987 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 2)

(1) Section 5 (**Delegation**)—

Section 5 (3)–(7)—

Omit the subsections, insert instead:

(3) In this section, a reference to the community welfare legislation includes a reference to the Children (Criminal Proceedings) Act 1987 (and to any instrument under that Act) even though that Act may not be administered by the Minister within the Department.

(2) Section 35—

Omit the section, insert instead:

Objects of Part

35. The objects of this Part are as follows:

(a) to ensure, to the maximum extent possible, that assistance and supportive services are provided to persons in need or distress;

(b) to ensure that, whenever relevant, assistance and supportive services are aimed at preventing the breakdown of the family as a social unit.

(3) Part 5, heading—

Omit “SERVICES”, insert instead “ASSISTANCE”.

(4) Section 37 (**Definitions**)—

(a) Section 37 (1), definitions of “disaster”, “disaster victim”—

Omit the definitions, insert instead:

“disaster” means an occurrence, whether or not due to natural causes, that causes loss of life, injury, distress or danger to persons or loss of, or damage to, property;

“disaster victim” means a person who is in need or distress, or whose property is lost or damaged, as a result of a disaster;

Community Welfare (Amendment) 1988

SCHEDULE 1—AMENDMENTS—*continued*

- (b) Section 37 (3)—
Omit the subsection.
- (5) Section 37A—
After section 37, insert:
Declaration of disasters
37A. (1) The Minister may, by order in writing, declare a disaster to be a disaster to which section 38 applies.
(2) The Minister shall not make such an order unless satisfied that the disaster is of such a nature as to warrant its being treated as a disaster to which section 38 applies.
(3) The Minister shall, as soon as practicable after making such an order, cause a copy of the order to be published in the Gazette.
- (6) Section 38 (**Co-ordination of welfare services for victims of declared disasters**)—
Section 38 (1)—
After “victims”, insert “of a disaster declared under section 37A”.
- (7) Section 38A—
After section 38, insert—
Financial and other assistance to disaster victims
38A. (1) The Director-General may, in accordance with any directions given by the Minister, provide assistance (including financial assistance out of money to be provided by Parliament) to—
(a) disaster victims; and
(b) approved non-Government organisations whose objects are or include the provision of assistance to disaster victims.
(2) Nothing in this section limits the operation of Part 4.
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