



New South Wales

Children (Detention Centres) Amendment Bill 2004

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Children (Detention Centres) Act 1987 No 57	2
Schedule 1 Amendment	3

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Contents

Page

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2004*



New South Wales

Children (Detention Centres) Amendment Bill 2004

Act No , 2004

An Act to amend the *Children (Detention Centres) Act 1987* with respect to the detention of children who fail to comply with bail requirements.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Children (Detention Centres) Amendment Act 2004*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Children (Detention Centres) Act 1987 No 57

The *Children (Detention Centres) Act 1987* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Section 3)

Section 42A

Insert after section 42:

42A Admission to detention centre following arrest or apprehension for breach of bail undertaking or conditions

- (1) A child who is arrested or apprehended under section 50 (1) of the *Bail Act 1978*, and who is to be detained before being taken before a court, must be detained in a detention centre rather than being detained in a police station.
- (2) Despite subsection (1), the child may be detained in a police station before being taken before a court if it is impracticable for the child to be detained in a detention centre before being taken before the court.
- (3) A child who is detained in a police station under subsection (2) must, so far as is reasonably practicable, be detained separately from any adults detained there.
- (4) While a child is detained in a detention centre under this section, the child is taken to be a person on remand for the purposes of this Act.