

# Children (Care and Protection) Act 1987 No 54

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Effective date	Publication date	Amendments included	Notes
01 March 2010	01 March 2010	2007 No 9	
06 July 2009	06 July 2009	2007 No 94	
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01 October 2001	01 October 2001	2001 No 62	
02 July 2001	02 July 2001	1998 No 158	

# Original legislation

#### Children (Care and Protection) Act 1987 No 54

Assented to 29.05.1987.

Date of commencement (secs 1, 2, 19 (1), Parts 3, 4, 7 and Schs 1, 2 excepted), 18.1.1988, sec 2 (2) and GG No 2 of 8.1.1988, p 12.

Date of commencement of sec 19 (1): not in force.

Date of commencement of Part 3 and Sch 1, 22.9.1989, sec 2 (2) and GG No 97 of 22.9.1989, p 7317.

Date of commencement of sec 51 (as originally enacted), 15.8.1988, sec 2 (2) and GG No 126 of 5.8.1988, p 4112.

Date of commencement of Part 4 (secs 50–54B) as substituted by Children (Care and Protection) (Child Employment) Amendment Act 1992 No 51, 1.9.1993, sec 2 (2) of that Act and GG No 94 of 27.8.1993, p 4859.

Part 7 and Sch 2 were not commenced and were repealed by the Children and Young Persons Legislation (Repeal and Amendment) Act 1998 No 158.

# Amending legislation

Miscellaneous Acts (Local Court) Amendment Act 2007 No 94

Assented to 13.12.2007.

Date of commencement of Sch 2, 6.7.2009, sec 2 and 2009 (314) LW 3.7.2009.

#### Private Health Facilities Act 2007 No 9

Assented to 15.06.2007.

Date of commencement, 1.3.2010, sec 2 and 2010 (53) LW 26.2.2010.

# Health Legislation Further Amendment Act 2004 No 87

Assented to 30.11.2004.

Date of commencement, 1.1.2005, sec 2 and GG No 200 of 17.12.2004, p 9305.

### Commission for Children and Young People Amendment (Child Death Review Team) Act 2003 No 26

Assented to 08.07.2003.

Date of commencement, 22.8.2003, sec 2 and GG No 128 of 22.8.2003, p 8011.

# Law Enforcement (Powers and Responsibilities) Act 2002 No 103

Assented to 29.11.2002.

Date of commencement of Sch 4, 1.12.2005, sec 2 and GG No 45 of 15.4.2005, p 1356.

# Community Services Legislation Amendment Act 2002 No 42

Assented to 03.07.2002.

Date of commencement, 1.12.2002, sec 2 and GG No 237 of 29.11.2002, p 10061.

# Justices Legislation Repeal and Amendment Act 2001 No 121

Assented to 19.12.2001.

Date of commencement of Sch 2, 7.7.2003, sec 2 and GG No 104 of 27.6.2003, p 5978.

# Aboriginal Land Rights Amendment Act 2001 No 118

Assented to 19.12.2001.

Date of commencement, 25.10.2002, sec 2 and GG No 189 of 25.10.2002, p 9059.

#### Crimes Amendment (Aggravated Sexual Assault in Company) Act 2001 No 62

Assented to 21.09.2001.

Date of commencement, 1.10.2001, sec 2 and GG No 146 of 28.9.2001, p 8182.

# Crimes Legislation Amendment (Sentencing) Act 1999 No 94

Assented to 08.12.1999.

Date of commencement of Sch 4.2, 3.4.2000, sec 2 (1) and GG No 42 of 31.3.2000, p 2487.

Date of commencement of sec 7 and Sch 5, 1.1.2000, sec 2 (1) and GG No 144 of 24.12.1999, p 12184.

## Children and Young Persons Legislation (Repeal and Amendment) Act 1998 No 158

Assented to 14.12.1998.

Date of commencement of sec 3 (1) (except to the extent that it repeals secs 1–4, 19 and 21, Parts 3 and 4, sec 83, Parts 6, 7A and 8 and Schs 1, 1A, 2A and 3), 18.12.2000, sec 2 and GG No 159 of 8.12.2000, p 12781.

Date of commencement of sec 3 (1) in so far as it repeals Div 1 of Part 3 and Part 4, 30.9.2004, sec 2 and GG No 87 of 21.5.2004, p 2922.

Date of commencement of sec 3 (1), in so far as it repeals sec 95, 2.7.2001, sec 2 and GG No 107 of 2.7.2001, p 5209.

## Commission for Children and Young People Act 1998 No 146

Assented to 08.12.1998.

Date of commencement of Sch 2.1, 31.5.1999, sec 2 and GG No 61 of 21.5.1999, p 3471.

#### Privacy and Personal Information Protection Act 1998 No 133

Assented to 30.11.1998.

Date of commencement of Sch 3.1, 1.6.1999, sec 2 and GG No 63 of 28.5.1999, p 3571.

#### Health Services Act 1997 No 154

Assented to 19.12.1997.

Date of commencement, 1.7.1998, sec 2 and GG No 97 of 26.6.1998, p 4423.

#### Crimes Amendment (Child Pornography) Act 1997 No 142

Assented to 17.12.1997.

Date of commencement, 25.1.1998, sec 2 and GG No 7 of 16.1.1998, p 279.

# Administrative Decisions Legislation Amendment Act 1997 No 77

Assented to 10.07.1997.

Date of commencement of Sch 1.3, 1.1.1999, sec 2 and GG No 178 of 24.12.1998, p 9946.

# Amending legislation

# Statute Law (Miscellaneous Provisions) Act (No 2) 1998 No 120

Assented to 26.11.1998.

Date of commencement of Sch 2, assent, sec 2 (1).

# Children (Care and Protection) Amendment (Disclosure of Information) Act 1996 No 116

Assented to 03.12.1996.

Date of commencement, assent, sec 2.

# Children (Care and Protection) Amendment (Disallowed Regulation) Act 1996 No 110

Assented to 02.12.1996.

Date of commencement, assent, sec 2.

# Children (Care and Protection) Amendment Act 1995 No 78

Assented to 12.12.1995.

Date of commencement, 1.6.1996, sec 2 and GG No 65 of 31.5.1996, p 2753.

#### Criminal Procedure Amendment (Indictable Offences) Act 1995 No 22

Assented to 19.06.1995.

Date of commencement of Sch 2.2, 1.9.1995, sec 2 and GG No 105 of 1.9.1995, p 5044.

# Statute Law (Miscellaneous Provisions) Act (No 2) 1993 No 108

Assented to 02.12.1993.

Date of commencement of the provision of Sch 2 relating to the Children (Care and Protection) Act 1987, assent, Sch 2.

#### Community Services (Complaints, Appeals and Monitoring) Act 1993 No 2

Assented to 08.04.1993.

Date of commencement of Sch 2, 7.4.1994, sec 2 and GG No 50 of 25.3.1994, p 1255.

# Statute Law (Penalties) Act 1992 No 112

Assented to 08.12.1992.

Date of commencement, assent, sec 2.

# Children (Care and Protection) (Child Employment) Amendment Act 1992 No 51

Assented to 15.09.1992.

Date of commencement, 1.9.1993, sec 2 (1) and GG No 94 of 27.8.1993, p 4859.

#### Statute Law (Miscellaneous Provisions) Act 1992 No 34

Assented to 18.05.1992.

Date of commencement of the provisions of Sch 1 relating to the Children (Care and Protection) Act 1987, assent, Sch 1.

#### Statute Law (Miscellaneous Provisions) Act (No 2) 1991 No 94

Assented to 17.12.1991.

Date of commencement of the provision of Sch 1 relating to the Children (Care and Protection) Act 1987, assent. Sch 1.

#### Search Warrants (Amendment) Act 1991 No 92

Assented to 17.12.1991.

Date of commencement, 20.9.1992, sec 2 and GG No 116 of 18.9.1992, p 6837.

# Statute Law (Miscellaneous Provisions) Act 1991 No 17

Assented to 03.05.1991.

Date of commencement of the provisions of Sch 1 relating to the Children (Care and Protection) Act 1987, 1.9.1991, Sch 1 and GG No 116 of 16.8.1991, p 6757.

#### Miscellaneous Acts (Mental Health) Repeal and Amendment Act 1990 No 11

Assented to 01.06.1990.

Date of commencement, 3.9.1990, sec 2 and GG No 82 of 29.6.1990, p 5400.

#### Statute Law (Miscellaneous Provisions) Act (No 3) 1989 No 226

Assented to 21.12.1989.

Date of commencement of item (1) of the provisions of Sch 1 relating to the Children (Care and Protection) Act 1987, assent, sec 2.

Item (2) of those provisions was not commenced and was repealed by the Statute Law (Miscellaneous Provisions) Act 2001 No 56.

## Statute Law (Miscellaneous Provisions) Act 1989 No 89

Assented to 13.06.1989.

Date of commencement of the provisions of Sch 2 relating to the Children (Care and Protection) Act 1987, assent, sec 2 (1).

# Miscellaneous Acts (Private Health Establishments) Amendment Act 1988 No 125

Assented to 30.12.1988.

Date of commencement, 5.10.1990, sec 2 and GG No 123 of 5.10.1990, p 8859.

## Children (Care and Protection) (Prostitution) Amendment Act 1988 No 116

Assented to 21.12.1988.

Date of commencement, 12.2.1989, sec 2 and GG No 21 of 10.2.1989, p 913.

# Statute Law (Miscellaneous Provisions) Act (No 2) 1988 No 92

Assented to 19.12.1988.

Date of commencement of Sch 3 (item (6) excepted), 1.3.1989, sec 2 (3) and GG No 25 of 24.2.1989, p 1132.

Sch 3 (6) (a) was not commenced and was repealed by the Statute Law (Miscellaneous Provisions) Act 2001 No 56

Date of commencement of Sch 3 (6) (b) and (c), 18.1.1988, sec 2 (5).

# Children (Care and Protection) Further Amendment Act 1988 No 66

Assented to 21.11.1988.

Date of commencement, 1.3.1989, sec 2 and GG No 25 of 24.2.1989, p 1131.

#### Children (Care and Protection) Amendment Act 1988 No 7

Assented to 16.06.1988.

Date of commencement, Sch 1 (8) excepted, 5.9.1988, sec 2 and GG No 140 of 2.9.1988, p 4556.

Date of commencement of Sch 1 (8), 15.8.1988, sec 2 and GG No 126 of 5.8.1988, p 4111.

#### Children (Care and Protection) Amendment Act 1987 No 269

Assented to 16.12.1987.

Date of commencement, 28 days after assent.

# Children (Care and Protection) (Disability Services and Guardianship) Amendment Act 1987 No 259

Assented to 16.12.1987.

Date of commencement of Sch 1 (Sch 1 (3), (4) and (8) excepted), 28 days after assent, sec 2 (1).

Date of commencement of Sch 1 (3), (4) and (8), 21.8.1989, sec 2 (2) and (3) and GG No 83 of 14.7.1989, p 4200.

## Amending legislation

Statute Law (Miscellaneous Provisions) Act 1989 No 89

Assented to 13.06.1989.

Date of commencement of the provision of Sch 1 relating to the Children (Care and Protection) (Disability Services and Guardianship) Amendment Act 1987, assent, sec 2 (1).

## Miscellaneous Acts (Community Welfare) Repeal and Amendment Act 1987 No 58

Assented to 29.05.1987.

Date of commencement of item (1) of the provisions of Sch 4 relating to the Children (Care and Protection) Act 1987, 17.8.1987, sec 2 (8) (b) and GG No 126 of 31.7.1987, p 4254.

Date of commencement of item (2) of the provisions of Sch 4 relating to the Children (Care and Protection) Act 1987, 19.2.1988, sec 2 (9) (b) and GG No 35 of 19.2.1988, p 1077.

Date of commencement of item (3) (a) and (b) of the provisions of Sch 4 relating to the Children (Care and Protection) Act 1987: no day was appointed and those provisions were repealed by the Miscellaneous Acts (Mental Health) Repeal and Amendment Act 1990 No 11.

Date of commencement of item (4) of the provisions of Sch 4 relating to the Children (Care and Protection) Act 1987, 1.9.1987, sec 2 (12) (b) and GG No 136 of 28.8.1987, p 4809.

# History notes

The following abbreviations are used in the Historical notes:

Am	amended	CI	clause	CII	clauses
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Ins	inserted	LW	legislation website	No	number
р	page	pp	pages	Reg	Regulation
Regs	Regulations	Rep	repealed	Sch	Schedule
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# Children (Care and Protection) Bill 1987

More information on the passage of this Bill through Parliament, including links to the second reading speech and Legislation Review Committee report, is available via the Bills tab on the Parliament website.

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