



ANNO TRICESIMO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1988

No. 30 of 1988

An Act to amend the Community Welfare Act, 1972.

[Assented to 21 April 1988]

The Parliament of South Australia enacts as follows:

Short title.

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

(2) The Community Welfare Act, 1972, is in this Act referred to as "the principal Act".

Commencement.

2. (1) This Act will come into operation on a day to be fixed by proclamation.

(2) The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

Amendment of
s. 26—
The Children's
Interest Bureau.

3. Section 26 of the principal Act is amended by inserting after paragraph (c) of subsection (3) the following paragraph:

(ca) to provide the Minister, on request, with independent and objective advice on the rights and interests of any child who is, has been, or is likely to be, the subject of proceedings under this Act or any other Act dealing with the care and protection of children;

Amendment of
heading preceding
s. 27.

4. The heading preceding section 27 of the principal Act is amended by inserting "AND PROTECTION" after "THE CARE".

Amendment of
s. 27—
Guardianship
orders.

5. Section 27 of the principal Act is amended—

(a) by inserting in subsection (3) "or protection" after "is in need of care";

and

(b) by inserting in paragraph (a) of subsection (3) “or a person residing with” after “a guardian of”.

6. Section 32 of the principal Act is amended by inserting “or protection” after “the care” wherever it occurs in subsection (1).

Amendment of
s. 32—
Powers of
Director-General.

7. Section 82 of the principal Act is amended by inserting in subsection (1) “or protection” after “in need of care”.

Power of entry.

8. The heading preceding section 86 of the principal Act is amended by inserting “AGAINST MALTREATMENT” after “THE PROTECTION OF CHILDREN”.

Amendment of
heading preceding
s. 86.

9. Section 91 of the principal Act is amended—

(a) by striking out from subsection (1) “an offence under this Division has been committed against a child” and substituting “a child has been maltreated or neglected”;

Amendment of
s. 91—
Notification of
maltreatment.

and

(b) by striking out subsection (2) and substituting the following subsection:

(2) The following persons are obliged to comply with this section:

- (a) a legally qualified medical practitioner;
- (b) a registered dentist;
- (c) a registered or enrolled nurse;
- (d) a registered psychologist;
- (e) a pharmaceutical chemist;
- (f) a member of the police force;
- (g) a probation officer;
- (h) a social worker employed in a hospital, health centre or medical practice;
- (i) a registered teacher;
- (j) a person employed in a school as a teacher aide;
- (k) a person employed in a kindergarten;
- (l) an employee of, or voluntary worker in, an agency that provides health, welfare, educational, child care or residential services for children;
- (m) a person of a class declared by regulation to be a class of persons to which this section applies.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor