

CHILD WELFARE.

5° Elizabeth II., No. XXXVI.

No. 36 of 1956.

AN ACT to amend the Child Welfare Act, 1947-1955.*[Assented to 18th December, 1956.]*

BE it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Child Welfare Act Amendment Act, 1956*.

(2) In this Act the Child Welfare Act, 1947-1955, Act No. 66 of 1947 as amended by Acts Nos. 52 of 1950, 16 of 1952, 73 of 1954 and 45 of 1955,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Child Welfare Act, 1947-1956*.

2. The principal Act is amended by adding after section one hundred and thirty-seven a new section as follows:—

S. 137A
added.

137A. (1) Where a child is found guilty of an offence with respect to which payment of damages, costs or restitution may be ordered, the Court, on being satisfied that any parent or guardian of the child has conducted to the commission of the offence by neglecting to exercise due care or control of the child, may order that the damages, costs or restitution be paid—

Power to
order parent
to pay fine,
etc., in lieu
of child.
Of U.K. 23,
Geo. 5, c. 12,
s. 55.

- (a) by the child; or
- (b) by the parent or guardian; or
- (c) by both the child and the parent or guardian, in such proportions as the Court may determine.

In an order for payment of any sum, the Court may direct that such sum be paid by periodical payments.

(2) In any case where a child is charged with an offence, the Court may order the parent or guardian of the child to give security for the good behaviour of the child and such order may be made by the Court in addition to any order made in respect of the child.

(3) An order under this section may be made against a parent or guardian who, having been required to attend, has failed to do so, but, save as aforesaid, no such order shall be made without the parent or guardian having first been given an opportunity of being heard nor shall any such order be made requiring a parent or guardian to pay an amount greater than one hundred and fifty pounds.

(4) Any sum ordered to be paid under this section, or payable on the forfeiture of any security as aforesaid, by a parent or guardian, may be recovered in the same manner as if the order had been made on the conviction of the parent or guardian of the offence with which the child was charged.

(5) For the purposes of this section the term "parent" includes the natural parent, adoptive parent, legal guardian, or any person having control of the child for such period other than one which the court considers to be limited or temporary, but does not include officers of the Child Welfare Department, licensed foster mothers, licensed foster parents, school teachers, or members of staffs of children's institutions.
