

First print



New South Wales

Children's Court Amendment Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Children's Court Act 1987* to enable rules to be made conferring functions of the Children's Court or Children's Magistrates under the *Children and Young Persons (Care and Protection) Act 1998*, and related functions under the *Children's Court Act 1987*, on Children's Registrars.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act immediately after the commencement of Schedule 1 [7] to the *Children and Young Persons Legislation (Repeal and Amendment) Act 1998*. That provision inserts proposed section 10A into the *Children's Court Act 1987* which provides for the appointment of Children's Registrars.

Clause 3 is a formal provision giving effect to the amendment to the *Children's Court Act 1987* set out in Schedule 1.

Schedule 1 Amendment

Schedule 1 contains the amendment set out in the Overview above.

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New South Wales

Children's Court Amendment Bill 2000

No. , 2000

A Bill for

An Act to amend the *Children's Court Act 1987* with respect to the functions of Children's Registrars.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Children's Court Amendment Act 2000</i> .	3
2 Commencement	4
This Act commences immediately after the commencement of Schedule 1 [7] to the <i>Children and Young Persons Legislation (Repeal and Amendment) Act 1998</i> .	5 6 7
3 Amendment of Children's Court Act 1987 No 53	8
The <i>Children's Court Act 1987</i> is amended as set out in Schedule 1.	9

Schedule 1 Amendment

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(Section 3)

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Section 10A Children's Registrars [as inserted by Act No 158 of 1998]

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Insert after section 10A (2):

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(3) Despite the provisions of the *Children and Young Persons (Care and Protection) Act 1998* and the other provisions of this Act, the functions that may be conferred or imposed on a Children's Registrar by the rules include:

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(a) any function of the Court or a Children's Magistrate under the *Children and Young Persons (Care and Protection) Act 1998*, and

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(b) any function of the Court or a Children's Magistrate under this Act that relates to a function referred to in paragraph (a).

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(4) A function referred to in subsection (3) that is exercised by a Children's Registrar is taken to have been exercised by the Court or a Children's Magistrate, as the case requires.

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(5) A decision or order made or direction given by a Children's Registrar when exercising a function referred to in subsection (3) may be set aside or varied by the Court.

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(6) The conferring or imposing of a function of the Court or a Children's Magistrate on a Children's Registrar does not prevent the exercise of the function by the Court or a Children's Magistrate.

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