

# **COMMUNITY WELFARE (DEVELOPMENTAL DISABILITIES) AMENDMENT ACT 1989 No. 54**

NEW SOUTH WALES



## **TABLE OF PROVISIONS**

1. Short title
  2. Commencement
  3. Amendment of Community Welfare Act 1987 No. 52
  4. Amendment of Children (Detention Centres) Act 1987 No. 57
  5. Amendment of Disability Services and Guardianship Act 1987 No. 257
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**COMMUNITY WELFARE (DEVELOPMENTAL DISABILITIES)  
AMENDMENT ACT 1989 No. 54**

NEW SOUTH WALES



**Act No. 54, 1989**

An Act to amend the Community Welfare Act 1987 and certain other Acts as a consequence of the transfer of certain functions from the Department of Health to the Department of Family and Community Services; and for other purposes. [Assented to 19 May 1989]

*Community Welfare (Developmental Disabilities) Amendment 1989*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Community Welfare (Developmental Disabilities) Amendment Act 1989.

**Commencement**

2. This Act commences on a day or days to be appointed by proclamation.

**Amendment of Community Welfare Act 1987 No. 52**

3. The Community Welfare Act 1987 is amended—

(a) by omitting from the definition of “officer” in section 3 (1) the words “Public Service Act 1979, employed in the Department” and by inserting instead the words “Public Sector Management Act 1988, employed in the Department or a person employed under section 13B”.

(b) by inserting after section 13A the following section:

**Community Welfare Employment Corporation**

13B. (1) There is constituted by this section a corporation with the corporate name of the “Community Welfare Employment Corporation”.

(2) The affairs of the corporation shall be managed by the Director-General.

(3) Any act, matter or thing done in the name of, or on behalf of, the corporation by the Director-General, or with the authority of the Director-General, shall be taken to have been done by the corporation.

(4) The corporation may, on terms and conditions determined by the Public Employment Industrial Relations Authority, employ such persons as, in addition to persons appointed and employed under the Public Sector Management Act 1988, may be necessary for the purposes of community welfare legislation.

(c) by inserting after section 78 (a) the following paragraph:

(a1) the corporation constituted by section 13B;

**Amendment of Children (Detention Centres) Act 1987 No. 57**

4. The Children (Detention Centres) Act 1987 is amended by omitting from the definition of “officer” in section 3 (1) the words “Public Service Act 1979, employed in the Department” and by inserting instead the words “Public Sector Management Act 1988, employed in the Department or a person employed under section 13B of the Community Welfare Act 1987”.

*Community Welfare (Developmental Disabilities) Amendment 1989*

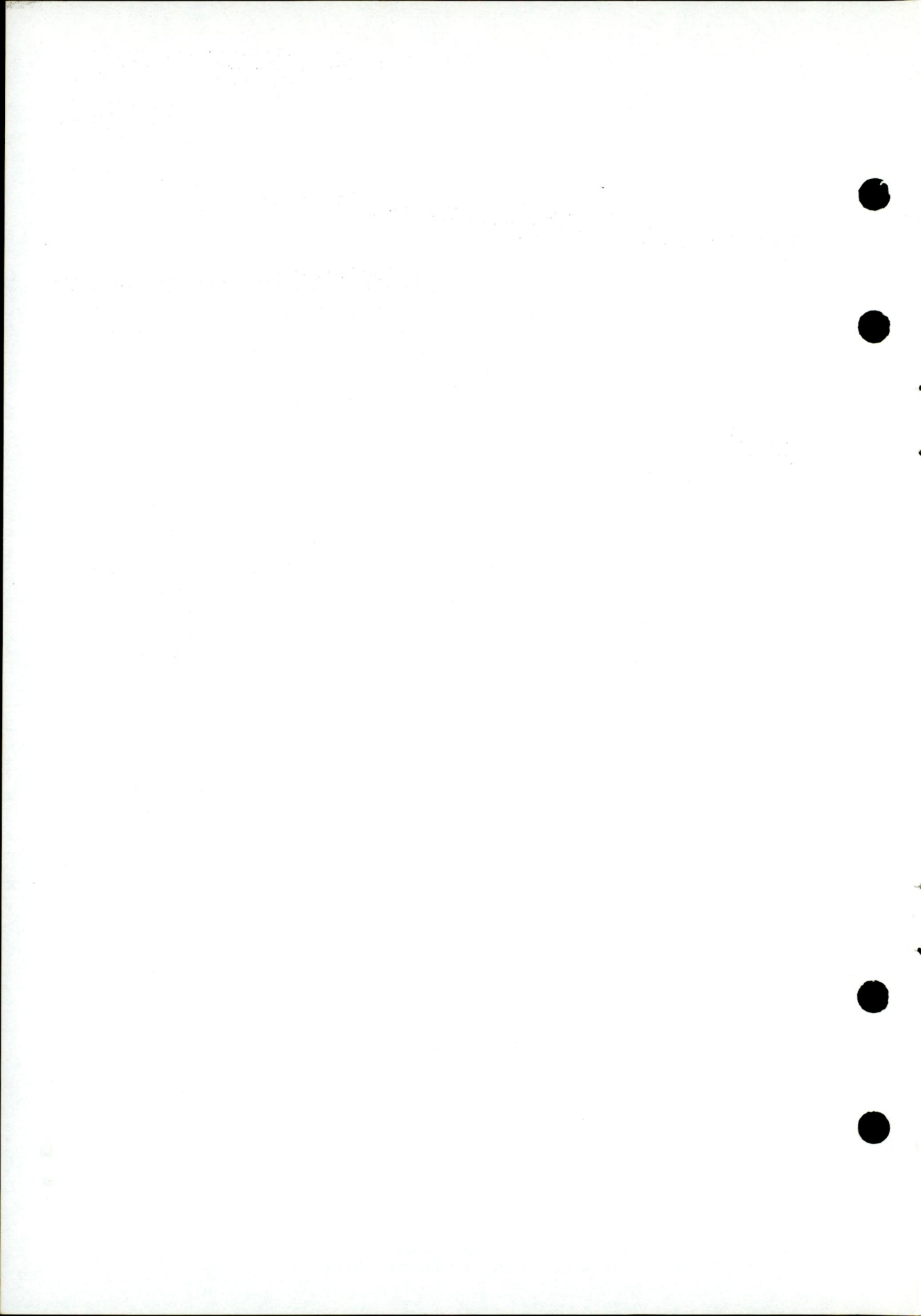
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**Amendment of Disability Services and Guardianship Act 1987 No. 257**

5. The Disability Services and Guardianship Act 1987 is amended by inserting in section 108 (1) (a) after the figure "2" the words " , the payment of charges for those services, the amounts of those charges and the waiver or reduction of a charge".

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[*Minister's second reading speech made in—  
Legislative Assembly on 3 May 1989  
Legislative Council on 10 May 1989*]





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**COMMUNITY WELFARE (DEVELOPMENTAL  
DISABILITIES) AMENDMENT BILL 1989**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to amend—

- (a) the Community Welfare Act 1987; and
- (b) the Children (Detention Centres) Act 1987; and
- (c) the Disability Services and Guardianship Act 1987,

as a consequence of the proposed transfer of the administration of developmental disability services from the Department of Health to the Department of Family and Community Services.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the proposed Act to commence on a day or days to be proclaimed.

**Clause 3** provides for the constitution of the Community Welfare Employment Corporation managed by the Director-General of the Department of Family and Community Services. The establishment of the corporation is proposed in order to provide for the employment within that Department of certain persons at present employed within the Department of Health, and others employed under community welfare legislation.

**Clause 4** makes a consequential amendment to the Children (Detention Centres) Act 1987.

*Community Welfare (Developmental Disabilities) Amendment 1989*

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**Clause 5** amends the Disability Services and Guardianship Act 1987 to continue under that Act the power at present conferred by the Public Hospitals Act 1929 to set (and to waive or reduce) charges for the services proposed to be provided by the Department of Family and Community Services instead of the Department of Health.

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# COMMUNITY WELFARE (DEVELOPMENTAL DISABILITIES) AMENDMENT BILL 1989

NEW SOUTH WALES



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**COMMUNITY WELFARE (DEVELOPMENTAL  
DISABILITIES) AMENDMENT BILL 1989**

NEW SOUTH WALES



No. , 1989

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**A BILL FOR**

An Act to amend the Community Welfare Act 1987 and certain other Acts as a consequence of the transfer of certain functions from the Department of Health to the Department of Family and Community Services; and for other purposes.

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*Community Welfare (Developmental Disabilities) Amendment 1989*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Community Welfare (Developmental Disabilities) Amendment Act 1989.

**5 Commencement**

2. This Act commences on a day or days to be appointed by proclamation.

**Amendment of Community Welfare Act 1987 No. 52**

3. The Community Welfare Act 1987 is amended—

10 (a) by omitting from the definition of “officer” in section 3 (1) the words “Public Service Act 1979, employed in the Department” and by inserting instead the words “Public Sector Management Act 1988, employed in the Department or a person employed under section 13B”.

15 (b) by inserting after section 13A the following section:

**Community Welfare Employment Corporation**

13B. (1) There is constituted by this section a corporation with the corporate name of the “Community Welfare Employment Corporation”.

20 (2) The affairs of the corporation shall be managed by the Director-General.

25 (3) Any act, matter or thing done in the name of, or on behalf of, the corporation by the Director-General, or with the authority of the Director-General, shall be taken to have been done by the corporation.

30 (4) The corporation may, on terms and conditions determined by the Public Employment Industrial Relations Authority, employ such persons as, in addition to persons appointed and employed under the Public Sector Management Act 1988, may be necessary for the purposes of community welfare legislation.

(c) by inserting after section 78 (a) the following paragraph:

(a1) the corporation constituted by section 13B;

**Amendment of Children (Detention Centres) Act 1987 No. 57**

35 4. The Children (Detention Centres) Act 1987 is amended by omitting from the definition of “officer” in section 3 (1) the words “Public Service Act 1979, employed in the Department” and by inserting instead the words “Public Sector Management Act 1988, employed in the Department or a person employed under section 13B of the Community Welfare Act 1987”.

*Community Welfare (Developmental Disabilities) Amendment 1989*

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**Amendment of Disability Services and Guardianship Act 1987 No. 257**

5. The Disability Services and Guardianship Act 1987 is amended by inserting in section 108 (1) (a) after the figure "2" the words " , the payment of charges for those services, the amounts of those charges and the waiver  
5 or reduction of a charge".
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