

IMMIGRATION (GUARDIANSHIP OF CHILDREN).

No. 62 of 1948.

An Act to amend the *Immigration (Guardianship of Children) Act 1946*.

[Assented to 6th December, 1948.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title
and citation.

1.—(1.) This Act may be cited as the *Immigration (Guardianship of Children) Act 1948*.

(2.) The *Immigration (Guardianship of Children) Act 1946** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Immigration (Guardianship of Children) Act 1946–1948*.

* Act No. 45, 1946

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3.—(1.) Section six of the Principal Act is amended by inserting after the word "person" the words "and of the estate in Australia," Guardianship of immigrant children.

(2.) The amendment effected by this section shall apply in relation to children who are in Australia at the commencement of this Act as well as in relation to children who arrive in Australia after the commencement of this Act.

4. After section six of the Principal Act the following section is inserted :—

"6A.—(1.) An immigrant child shall not leave Australia except with the consent in writing of the Minister. Immigrant child not to leave Australia without consent.

"(2.) The Minister shall not refuse to grant any such consent unless he is satisfied that the granting of the consent would be prejudicial to the interests of the immigrant child.

"(3.) A person shall not aid, abet, counsel or procure an immigrant child to leave Australia contrary to the provisions of this section.

Penalty : One hundred pounds or imprisonment for six months.

"(4.) This section shall not affect the operation of any other law regulating the departure of persons from Australia."

5. Section seven of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section :— Custody of immigrant children.

"(1.) The Minister may place an immigrant child in the custody of a person who—

(a) is willing to be the custodian of that child ; and

(b) is, in the opinion of the Minister, a suitable person to be the custodian of that child,

and that person shall thereupon become the custodian of that child."

6. Section twelve of the Principal Act is amended by inserting after paragraph (d) the following paragraphs :— Regulation.

"(da) prescribing powers, rights, duties and liabilities of or in relation to the Minister as guardian of the estate in Australia of immigrant children, including provisions for the receipt, disposition, management and control of property of immigrant children, and of property of deceased immigrant children from their deaths until the grant of administration ;

"(db) making provision for preventing immigrant children from leaving Australia without the consent in writing of the Minister ; "