

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**CHILDREN AND YOUNG PEOPLE AMENDMENT
BILL 1999**

EXPLANATORY MEMORANDUM

Circulated by Authority of

**Jon Stanhope
Member for Ginninderra**

EXPLANATORY MEMORANDUM

Children and Young People Amendment Bill 1999

Outline

This is a Bill to amend to the *Children and Young People Act 1999*.

Among other things, that Act establishes the minimum age at which a child will be held responsible for criminal actions.

The Bill will change the age of criminal responsibility in the Australian Capital Territory from 8 years to 10 years.

Formal Clauses

Clauses 1, 2 and 3 are formal requirements. They refer to the short title of the Bill, commencement of the amendments and the Act to be amended.

Sections 1 and 2 of the Bill commence on the date it is notified in the *Gazette*. The remaining provisions commence on the day Chapter 2 of the *Children and Young People Act 1999* commences.

Age of Criminal Responsibility

Clause 4 of the Bill amends section 71 of the Act to establish the age of 10 years as the age of criminal responsibility.

Power to apprehend under age children

Clause 5 of the Bill amends section 72 to substitute the age of 10 years for 8 years as the age under which a police officer may arrest a child for the purpose of returning the child to a parent or other suitable person.