

2006
LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY

CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2006
EXPLANATORY STATEMENT

Presented by
Katy Gallagher MLA
Minister for Disability and Community Services

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SUMMARY OF CLAUSES

Clause 1 Name of Act

Clause 1 is a technical clause and sets out the name of the proposed Act as the *Children and Young People Amendment Act 2006*.

Clause 2 Commencement

Clause 2 is the commencement provision. The Act will commence the day after its notification on the Legislation Register (www.legislation.act.gov.au).

Clause 3 Legislation Amended

Clause 3 provides that this Amendment Bill amends the *Children and Young People Act 1999*.

Clause 4 Section 403 (5) Standing order making power

This clause removes the sunset clause relating to the power to make standing orders. The existing standing orders at Quamby Youth Detention Centre have been reviewed in the light of contemporary procedures and human rights requirements and will be presented to the ACT Legislative Assembly as disallowable instruments.

The power to make standing orders expires on 1 December 2006. The removal of the sunset clause will enable the existing standing order regime to stay in place for the Quamby Youth Detention Centre and allow sufficient time for adequate legislative provisions to be established for the new youth detention centre in 2008 as part of the Bill that will re-write the Children and Young People Act.

Clause 5 Section 451 heading

This is a technical clause to substitute the heading for section 451 to 'Work experience not employment'.

Clause 6 Section 451(5) and (6)

This clause removes the sunset clause relating to the exemption of work experience for under school leaving age young people from the operation of the employment chapter. The *Children and Young People Amendment Act 2006* exempted work experience arrangements from the employment provisions of the Act until 30 December 2006, to allow for detailed consideration of the policy matters related to work experience. This policy work has occurred and will be presented as part of the Bill that will rewrite the Children and Young People Act. In the meantime, it is necessary to remove this sunset clause so that work experience programs for young people aged under 15 years can continue without interruption before updated provisions are considered by the ACT Legislative Assembly.

Clause 7 Section 451 (as amended)

This is a technical clause to relocate this section to create proposed section 368A.

Clause 8 Chapter 18

This is a technical clause to remove chapter 18.