

No. 4152.

An Act to amend Sections Eighteen and One hundred and nine of the *Children's Welfare Act 1928*.

[4th December, 1933.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Children's Welfare Act 1933* and shall be read and construed as one with the *Children's Welfare Act 1928* (hereinafter called the Principal Act) which Act and this Act may be cited together as the Children's Welfare Acts.

Short title
construction
and citation.
No. 3654.

2. Paragraph (a) of section eighteen of the Principal Act is hereby amended as follows :—

Amendment of
No. 3654 s. 18.

(a) At the end of sub-paragraph (i), after the word "alms" there shall be inserted the words "or inducing the giving of alms"; and

What children
to be deemed
"neglected."

(b) At

(b) At the end of sub-paragraph (iv)—

- (i) the word " and " is hereby repealed ; and
- (ii) there shall be inserted the following new sub-paragraphs :—

No. 3781.

- “(v) (not being duly licensed pursuant to the provisions of the *Street Trading Act 1928*) engaging in street trading within the meaning of that Act after a member of the police force or any person authorized in that behalf by the Governor in Council has (whether orally or otherwise) warned the child to desist from such trading and (where the parent or guardian of the child can be found) warned such parent or guardian that the child should desist from such trading ;
- (vi) living under such conditions as indicate that the child is lapsing or likely to lapse into a career of vice or crime ;
- (vii) being under the guardianship of any person who in the opinion of the children's court is unfit by reason of his conduct or habits to be the guardian of the child ;
- (viii) (being a female) found soliciting men for prostitution, or otherwise behaving in an indecent manner ;
- (ix) (being a female) found habitually wandering about a public place or public places at night without lawful cause after a member of the police force or any person authorized in that behalf by the Governor in Council has (whether orally or otherwise) warned the child against continuing so to wander and (where the parent or guardian of the child can be found) warned such parent or guardian that the child should cease from so wandering ; and”.

3. At

3. At the end of section one hundred and nine of the Principal Act there shall be inserted the following words :—

“ A person may be liable under this section notwithstanding that actual bodily suffering or permanent or serious injury to health or the likelihood of such suffering or injury to health was obviated by the action of another person.”

Amendment of
No. 3654 s. 109.
As to liability
for neglecting
ill-treating
or exposing
children.