

LEGISLATIVE COUNCIL

CHILDREN, YOUTH AND FAMILIES AMENDMENT (RESTRICTIONS ON THE MAKING OF PROTECTION ORDERS) BILL 2015

(Amendments and New Clauses to be proposed in Committee by Ms SPRINGLE)

1. Clause 1, omit this clause.

NEW CLAUSES

2. Insert the following New Clause before clause 2—

"AA Purposes

The main purpose of this Act is to amend the provisions of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014** that relate to—

- (a) restrictions on the making of protection orders;
- (b) the duration of family reunification orders;
- (c) interim accommodation orders;
- (d) contact between children on permanent care orders and their parents."

3. Insert the following New Clause to follow clause 2—

"BB Interim accommodation order

Section 13(1) of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014** is repealed."

4. Insert the following New Clauses to follow clause 3—

"CC New section 276A inserted

In section 18 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, proposed section 276A(3) of the **Children, Youth and Families Act 2005** is repealed.

DD New section 287 substituted

In section 26 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, in proposed section 287(1)(c) of the **Children, Youth and Families Act 2005**, omit "(not exceeding 12 months)".

EE Section 287A repealed

Section 27 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014** is repealed.

FF New Division 7 of Part 4.9 substituted

- (1) In section 30 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, in proposed section 289(1)(d) of the **Children, Youth and Families Act 2005**, for "responsibility for the child." **substitute** "responsibility for the child; and".
- (2) In section 30 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, after proposed section 289(1)(d) of the **Children, Youth and Families Act 2005**, **insert—**
 "(e) may include any conditions that the Court considers to be in the best interests of the child concerning contact between the child and a parent of the child or another person of significance to the child.".

GG New section 294A inserted

In section 34 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, proposed section 294A(1)(b) of the **Children, Youth and Families Act 2005** is **repealed**.

HH Duration of extension

For section 36(2) of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014** **substitute—**

"(2) For section 296(2) of the Principal Act **substitute—**

"(2) On an extension application relating to a care by Secretary order, the Court may extend the order for a period of 2 years."."

II Permanent care order

In section 60(1)(d) of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, **omit** "which may provide for contact up to 4 times a year".

JJ New sections 167, 168 and 169 substituted and sections 170 and 171 repealed

- (1) In section 97 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, proposed section 167(1)(c) of the **Children, Youth and Families Act 2005** is **repealed**.
- (2) In section 97 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, in proposed section 167(1)(e)(ii) of the **Children, Youth and Families Act 2005**, for "long-term care arrangement." **substitute** "long-term care arrangement;".
- (3) In section 97 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, after proposed section 167(1)(e) of the **Children, Youth and Families Act 2005**, **insert—**
 "(f) adoption—the objective of placing the child for adoption under the **Adoption Act 1984**.".
- (4) In section 97 of the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014**, in proposed section

167(2) of the **Children, Youth and Families Act 2005**, for "subsection (1)(c) to (e)" **substitute** "subsection (1)(d) to (f)".