



Title.

ANALYSIS

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| <p>1. Short Title.</p> <p>2. Extending meaning of expression "delinquent child".</p> | <p>3. Duty of parent or guardian to appear before Children's Court.</p> |
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1954, No. 77

AN ACT to amend the Child Welfare Act 1925.

Title.

[1 October 1954

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Child Welfare Amendment Act (No. 2) 1954, and shall be read together with and deemed part of the Child Welfare Act 1925 (hereinafter referred to as the principal Act).

Short Title.

See Reprint of Statutes, Vol. III, p. 1091

2. Section thirteen of the principal Act is hereby amended by inserting, after subsection one, the following subsections:

Extending meaning of expression "delinquent child".

"(1A) Without limiting the generality of the provisions of subsection one of this section, it is hereby declared that every child shall be deemed to be a delinquent child within the meaning of that subsection who—

"(a) Being a male, carnally knows or attempts to carnally know any female child under the age of sixteen years:

"(b) Being a female, incites a male to carnally know her or to commit any indecent act upon or with her, and permits or suffers him to do so:

"(c) Commits any indecent act upon or with any other child.

“(1B) Where any child is alleged to be a delinquent child within the meaning of subsection one A of this section, it shall not be a defence to a complaint under this section that any child consented to any act referred to in that subsection.”

Duty of parent  
or guardian to  
appear before  
Children's  
Court.

3. (1) The principal Act is hereby amended by inserting, after section twenty-nine, the following section:

“29A. (1) Where any information is laid against any child in respect of any offence, any Justice may issue his summons addressed to any parent or guardian of the child or to any person having the custody of the child, requiring him to appear before a Children's Court with the child, at a time to be named in the summons.

“(2) At the hearing of the proceedings in respect of the offence any such parent or guardian or other person as aforesaid may be examined in respect of the upbringing and control of the child.

“(3) Every person commits an offence and is liable on summary conviction to a fine not exceeding twenty pounds who, being so required to appear, refuses or fails, without lawful excuse, so to appear.”

(2) Section thirteen of the principal Act is hereby further amended by omitting from subsection one the words “addressed to any person having the custody of the child requiring him to appear before a Children's Court at a time to be named in the summons, either with or without the child”, and substituting the words “addressed to any parent or guardian of the child or to any person having the custody of the child, requiring him to appear before a Children's Court with the child, at a time to be named in the summons”.

(3) The said section thirteen is hereby further amended by adding the following subsections:

“(10) At the hearing of any complaint under this section any parent or guardian or other person having the custody of the child may be examined in respect of the upbringing and control of the child.

“(11) Every person commits an offence and is liable on summary conviction to a fine not exceeding twenty pounds who, being required to appear before a Children's Court under subsection one of this section, refuses or fails, without lawful excuse, so to appear.”