

WELFARE ORDINANCE 1961.

No. 12 of 1962.

An Ordinance to amend the *Welfare Ordinance*
1953-1960.

[Reserved 16th April, 1962.]

[Assented to 3rd May, 1962.]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1961, as follows:—

Short title and
citation.

1.—(1.) This Ordinance may be cited as the *Welfare Ordinance* 1961.

(2.) The *Welfare Ordinance* 1953-1960 is in this Ordinance referred to as the *Principal Ordinance*.

(3.) The *Principal Ordinance*, as amended by this Ordinance, may be cited as the *Welfare Ordinance* 1953-1961.

Definitions.

2. Section six of the *Principal Ordinance* is amended—

(a) by inserting after the word “ appears ” the following definition:—

“ ‘ approved person ’ means a person appointed as an approved person under this Ordinance;”;

(b) by inserting after the definition of “ this Ordinance ” the following definition:—

“ ‘ vesting order ’ means an order made under section twenty-six of this Ordinance, vesting the property of a ward in the Director;” and

(c) by adding at the end of the definition of “ ward ” the words “ and includes a person for the time being deemed to be a ward by virtue of section fifteen of this Ordinance ”.

Duties of
Director.

3. Section eight of the *Principal Ordinance* is amended by adding at the end of sub-paragraph (iv) of paragraph (f) the words “ including the provision of legal assistance ”.

* Assent notified in the *Government Gazette* of the Northern Territory on 23rd May, 1962 (see *Gazette* No. 24, 1962, p. 91).

4. After section eleven of the Principal Ordinance the following section is inserted:—

“ 11A.—(1.) The Administrator may by notice published in the *Gazette* appoint such persons as he considers necessary to be approved persons for the purposes of this Ordinance. Appointment of approved persons.

“(2.) An approved person has, in respect of such parts of the Territory as are specified in the notice by which he is appointed, such of the powers conferred on a welfare officer by this Ordinance as are specified in that notice.”

5. Section fourteen of the Principal Ordinance is amended by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-section:— Declaration of wards.

“(2.) Where the Administrator in Council declares a person to be a ward he may include in the declaration particulars relating to the identity of the person.”

6. Section fifteen of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 15.—(1.) A person who is subject to any restriction or control under the provisions of any of the State Acts specified in the Second Schedule to this Ordinance or any of those Acts as amended from time to time shall, if he enters the Territory, be deemed to be a ward until he departs from the Territory or a period of three months commencing on the date of his entry into the Territory expires, whichever first occurs. Persons controlled by State Acts to become wards on entering Territory.

“(2.) The last preceding sub-section does not apply to a person who re-enters the Territory after departing from the Territory unless he was a ward at the date when he last departed from the Territory.”

7. Section sixteen of the Principal Ordinance is amended— Register of Wards.

(a) by omitting from sub-section (1.) all the words after the word “ wards ” (second occurring);

(b) by inserting after sub-section (2.) the following sub-section:—

“(2A.) When the Director enters the name of a person in the Register of Wards he shall enter such particulars as are contained in the declaration made under section fourteen of this Ordinance and may from time to time enter such further or other particulars relating to the identity of the person as he thinks fit.”; and

(c) by inserting after sub-section (3.) the following sub-section:—

“(3A.) A certificate given under the last preceding sub-section that a person is a ward may describe the person according to any particulars entered in the Register of Wards.”.

8. Section seventeen of the Principal Ordinance is repealed and the following sections are inserted in its stead:—

Orders for
removal and
detention of
wards.

“17.—(1.) Where the Director or a welfare officer considers it in the interest of a particular ward or in the interest of wards in a particular place or in the public interest, he may apply to a court of summary jurisdiction for an order under this section in respect of the ward.

“(2.) Under this section a court of summary jurisdiction may order that a ward be taken into the custody of the Director and—

(a) that the ward be removed to a reserve or institution named in the order and there detained for the period specified in the order; and

(b) if the court thinks fit, that the ward be removed from a place in the Territory to a place outside the Territory.

“(3.) An application under the last preceding sub-section shall be made by the delivery to the ward at least three days before the date when the application is to be made of a notice under the hand of the Director in or to the effect of Form 1 in the Third Schedule to this Ordinance and by filing of a copy of that notice in the court.

“(4.) A person delivering a notice referred to in sub-section (2.) to a ward shall explain to the ward the effect of the notice.

“(5.) The court to which an application is made under this section may, if it is satisfied that it is in the interest of the ward or of wards in a particular place or is in the public interest, make the order applied for and issue its warrant directed to the Director or to a welfare officer named in the warrant.

“(6.) An order under this section shall not be made unless the court is satisfied by affidavit in or to the effect of Form 4 in the Third Schedule to this Ordinance or otherwise that notice of the application has been served on the ward and its effect explained to the ward but if the court is so satisfied it may make an order whether or not the ward is present in court.

“(7.) Where a warrant issued under this section is directed to the Director it may be directed also to all welfare officers and members of the Police Force.

“ (8.) The court to which an application is made under this section shall not make an order if, by so doing—

- (a) a child under, or appearing to be under, the age of fourteen years would be separated from his parents; or
- (b) a parent would be separated from his child, being a child under, or appearing to be under, the age of fifteen years,

unless the court is satisfied—

- (c) that the circumstances of the case are such as to make that course necessary; and
- (d) that adequate arrangements have been made for the maintenance, education and care of the child.

“ (9.) A warrant granted by the court under this section authorizes the person to whom it is directed to enter, for the purpose of taking the ward into custody, if necessary by force, any conveyance, ship or premises where the ward is or is reasonably suspected to be.

“ (10.) Upon the application of the Director or of the ward, a court of summary jurisdiction, whether it is the court which made the order or not, may alter, amend or rescind the order.

“ (11.) A ward who has been placed in a reserve or institution under the authority of a warrant issued under this section shall not leave that reserve or institution during the period during which the order is in force.

Penalty: Imprisonment for six months.

“ (12.) A welfare officer or a member of the Police Force may prevent, by force if necessary, a ward from leaving a reserve or institution in which he is detained under the authority of a warrant issued under this section.

“ (13.) Where a ward is detained in an institution under a warrant issued under this section he shall be in the custody and under the control of the superintendent of the institution and shall obey all lawful orders and instructions given to him by the superintendent.

Penalty: Imprisonment for three months.

“ (14.) Nothing in this section authorizes the imprisonment of a person in a place that is not a prison under the laws of the Territory.

“ 17A.—(1.) Where a welfare officer is of the opinion that it is desirable to apply for an order under section seventeen of this Ordinance with respect to a ward but that by reason of the distance from the place where the ward is to the nearest place

Procedure
when ward is
distant from
court.

at which a court of summary jurisdiction is regularly held it is impracticable or unlikely to be effective to proceed by the means specified in sub-sections (2.) and (4.) of that section, the welfare officer may arrest the ward.

“ (2.) Where a welfare officer arrests a ward under the last preceding sub-section he shall bring the ward as soon as is practicable, but in no event later than five days after the arrest, before a court of summary jurisdiction to which he shall forthwith apply for an order under section seventeen of this Ordinance.

“ (3.) An application for an order under section seventeen made after arrest need not comply with the provisions of sub-section (2.) of section seventeen of this Ordinance but may be made to the court orally.”.

9. Section eighteen of the Principal Ordinance is repealed and the following section is inserted in its stead:—

Director may
sue or defend
legal
proceedings for
wards.

“ 18.—(1.) Where the Director has reason to believe that a ward has a cause of action against any person, not being a cause of action relating to or arising out of property vested in the Director by virtue of a vesting order, he may apply to a court, having jurisdiction to hear and determine any such action, for leave of the court to sue in that court on behalf of the ward to enforce that cause of action.

“ (2.) Where proceedings are brought against a ward in any court and the Director is satisfied that the ward has a defence to the proceedings he may apply to the court for leave to come in and defend the proceedings on behalf of the ward.

“ (3.) A court to which an application is made by the Director under this section may, in its discretion, grant leave to the Director to sue or defend in the suit on behalf of the ward.

“ (4.) Where leave is granted to sue or defend, the Director may do all such things in relation to the suit as the ward might have done and may appear in person or engage or instruct counsel to conduct the case on behalf of the ward.

“ (5.) Where an order for costs is made in favour of a ward in a suit in which leave has been given to the Director to sue or defend, the amount of the costs shall be paid to the Director who shall apply it firstly to payment of any expenses which he has incurred in the action and secondly to payment of any balance to the ward.

“ (6.) Where an order for costs is made against a ward in any suit in which leave has been given to the Director to sue or defend, the Director shall not be liable to pay the costs unless the court so orders and in that case he shall be liable to pay costs only to the extent to which the court orders.”.

10. Sections nineteen to twenty-one (inclusive) of the Principal Ordinance are repealed and the following section is inserted in their stead:-

Repeal of sections 19 to 21.

" 21.—(1.) The Director or a welfare officer may authorize a person in writing to take a ward from a place in the Territory to a place outside the Territory.

Director or welfare officer may authorize removal, &c., of certain wards.

" (2.) An authority shall not be granted under this section if—

- (a) a child under, or appearing to be under, the age of fourteen years would be removed from one of his parents against the will of that parent; or
- (b) a parent would be removed, against his will, from his child being a child under, or appearing to be under, the age of fifteen years,

unless the Administrator has, in writing, authorized the granting of the authority.

" (3.) An authority shall not be granted under this section in respect of a ward in respect of whom an order has been made under section seventeen of this Ordinance and is in force."

11. Section twenty-three of the Principal Ordinance is repealed and the following section inserted in its stead:—

" 23. A person shall not—

- (a) where a ward is detained in a reserve or institution under the authority of a warrant issued under section seventeen of this Ordinance, remove the ward from, or assist or induce the ward to leave, the reserve or institution; or
- (b) remove a ward, or cause a ward to be removed, or assist or induce a ward to go, from a place in the Territory to a place outside the Territory,

Offence to remove wards without authority.

unless he is acting in accordance with an order under section seventeen of this Ordinance, or is authorized to do so under section twenty-one of this Ordinance, or, being an officer or employee of the Commonwealth Department of Health, or an agent, or an employee of an agent, of that Department, he is acting in the course, and for the purposes, of his duty.

Penalty:

For a first offence—One hundred pounds or imprisonment for six months, or both;

For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;

In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.”.

Repeal of section 24.

12. Section twenty-four of the Principal Ordinance is repealed.

13. Division 3 of Part III. of the Principal Ordinance is repealed and the following Division is inserted in its stead:—

“ DIVISION 3.—VESTING ORDERS.

Right of ward to deal with property.

“ 25. Subject to this Division the making of a declaration under section fourteen of this Ordinance does not affect the right, title or interest in property, whether real or personal, of any person the subject of the declaration and such a person is able to deal with his property in all respects as though no declaration had been made.

Vesting orders.

“ 26.—(1.) Where the Director considers it expedient so to do he may apply to a court of summary jurisdiction for a vesting order under this section vesting in him the property of a ward.

“ (2.) Where the Director makes an application under the last preceding sub-section the court may make a vesting order if it is satisfied that the property of the ward is such as to require management or investment unless the ward establishes to the satisfaction of the court that he is able to use and manage the property to good advantage.

“ (3.) Subject to sub-sections (4.) and (5.) of this section, a vesting order operates to vest in the Director all property to which the ward in respect of whose property it is made is entitled at the date of the order and all property acquired by the ward after that date and while the order is in force, including property which accumulates during that period by way of interest, accretion, natural increase or otherwise.

“ (4.) A vesting order does not operate to vest in the Director property of a ward being—

(a) personal chattels used by the ward for the maintenance of himself or his family or for the purpose of enabling him to pursue any occupation, trade or calling; or

(b) goods and articles which are in the ward's actual possession and are of a total value not greater than Ten pounds.

“ (5.) A vesting order may relate to all or to a specified part of the property of the ward in respect of whose property it is made.

“ (6.) A vesting order may be expressed to operate for a specified period only but if not so expressed shall continue in force until rescinded or until the ward in respect of whose property it is made ceases to be a ward or dies as the case may be.

“ (7.) An order made under this section may be altered, amended, varied or rescinded on the application of the Director or of the ward in respect of whose property it is made.

“ (8.) Where a vesting order has been made by a court the Director shall cause a notice to be published in the *Gazette* and in a newspaper circulating in the district where the ward resides at the time the order is made setting out—

- (a) the name of the ward in respect of whose property it is made;
- (b) whether the order relates to all or to a part of the property of the ward;
- (c) if the order applies to a part only of the property of the ward, to what part of the property it applies;
- (d) whether or not the order is for a specified time and, if for a specified time, what that specified time is; and
- (e) a statement drawing attention to the provisions of the next succeeding section.

“ (9.) Whenever an order is amended, varied, altered or rescinded the Director shall publish in the *Gazette* and in a newspaper circulating in the district where the ward resides at the time the order is made a notice stating in what respect the order has been varied or altered or that it has been rescinded, as the case may be.

“ (10.) An application and an order made under this section may be in or to the effect of the appropriate form in the Third Schedule to this Ordinance.

“ 27.—(1.) Where a vesting order has been made by a court of summary jurisdiction vesting the property of a ward in the Director, a person shall not—

- (a) sell to or purchase from the ward any goods, articles or services of a value which, during any month, is in the aggregate greater than Ten pounds;

Offence to enter into transaction with ward whose property is subject to a vesting order.

- (b) sell or purchase any goods or services on behalf of the ward of a value which, during any month, is in the aggregate greater than Ten pounds;
- (c) supply goods or services on credit to the ward to a value which, during any month, is in the aggregate greater than Ten pounds;
- (d) lend money to, or borrow money from, the ward which at any time is in the aggregate a greater sum than Ten pounds; or
- (e) enter into any contract with the ward if the consideration for that contract is of a value greater than Ten pounds,

without the written consent of the Director or a welfare officer.

Penalty: One hundred pounds or imprisonment for six months.

“(2.) The provisions of the last preceding sub-section do not apply to a contract of employment.

“(3.) The Director may, from time to time, in writing, exempt an institution for a specified period from the provisions of this section, either wholly or in part, upon such conditions as he sees fit.

“(4.) It is a defence in any proceedings for an offence against this section if the defendant proves that he had no reason to believe and did not believe that the person with whom he entered into the transaction, the subject of the proceedings, was a ward in respect of whose property a vesting order had been made.

**Powers of
Director under
vesting order.**

“28.—(1.) Where a vesting order is made with respect to the property of a ward, the Director may—

- (a) take possession of, retain, let, sell, mortgage or dispose of any of the property of the ward, whether real or personal, which is the subject of the order;
- (b) in the name of the ward, receive or sue for the recovery of money or any other property due or belonging to, or held in trust for the benefit of the ward and sue for damages for the conversion of, or injury to, the property of the ward; and
- (c) in the name of, and on behalf of the ward, exercise any power exercisable by the ward and appoint a person to act as attorney or agent for any purpose connected with the property of the ward.

“ (2.) Where the Director does any of the acts referred to in paragraph (a) of the last preceding sub-section, the Registrar-General for the Territory shall, upon being satisfied—

- (a) that a memorandum or instrument relating to a transaction concerning real or leasehold property of the ward has been signed by the Director under the authority of a vesting order; and
- (b) that the transaction took place during the time that a vesting order was in force in relation to the ward,

treat the memorandum or instrument as though it had been duly signed by the Director as the properly appointed attorney of the ward.

“ 29. Where property of a ward is the subject of a vesting order, the Director may pay, or cause to be paid, out of the property or the income from the property—

Director may make certain payments under vesting order.

- (a) any debt, judgment or costs, for the payment of which he is satisfied the ward is liable;
- (b) such payments and allowances for the support or maintenance of the ward or a dependant of the ward as the Director sees fit; and
- (c) all costs, charges and expenses incurred by the Director in the care, control or management of the property.

“ 29A. Where property of a ward is the subject of a vesting order, the Director shall keep a proper record and account of all the moneys and other property coming into his hand or dealt with by him under and by virtue of the vesting order.

Director to keep accounts.

“ 29B. Subject to the provisions of this Division, where property of a ward is subject to a vesting order, the Director shall preserve and hold in trust the property and the income from the property for the benefit of the ward and, when he ceases to be a ward or the vesting order expires or is rescinded, the Director shall restore to the ward or, in the event of the ward's death, to his executor, administrator or the persons entitled by law to his property, all property held by the Director under or in pursuance of the vesting order.

Director to restore property to ward.

“ 29c.—(1.) Where a vesting order is made it is the duty of the Director to take possession of and get in the property of the ward.

Director to account for his dealing with property under vesting order.

“ (2.) The Director is not answerable for or in respect of any property of a ward which has not actually come into his hands under a vesting order.

“(3.) When a vesting order expires or is rescinded or the ward in respect of whose property it is made ceases to be a ward or dies, the Director shall account to the ward or to his executor or administrator or the persons entitled by law to his property for all property which has come into the Director’s hands under the vesting order.

“(4.) While a vesting order remains in force, the ward, in respect of whose property it was made, may apply to a court of summary jurisdiction for an order requiring the Director to file an account of his dealings with the property under the vesting order.

“(5.) Where a vesting order expires or is rescinded, or where a ward ceases to be a ward, the ward in respect of whose property it was made, or the former ward in respect of whose property it was made, may apply to a court of summary jurisdiction for an order requiring the Director to file an account of his dealings with the property under the vesting order.

“(6.) Where a ward whose property is the subject of a vesting order has died his executor or administrator, or any of the persons entitled by law to his property, may make an application under the last preceding sub-section.

“(7.) Where an application is made under sub-sections (4.) and (5.) of this section the court may, if it appears to it to be necessary or desirable, make the order applied for.

“(8.) The Director shall comply with an order made under the last preceding sub-section.”.

Tribunal may
make order
revoking
declaration.

14. Section thirty-six of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“(1.) If the tribunal, having heard the evidence adduced on the appeal, is not satisfied that the appellant, by reason of—

- (a) his manner of living;
- (b) his inability without assistance adequately to manage his own affairs;
- (c) his standard of social habit and behaviour; and
- (d) his personal associations,

stands in need of such special care or assistance as is provided for under this Ordinance, it may make an order revoking the declaration by which the appellant was declared to be a ward.”.

Effect of
marriage.

15. Section thirty-eight of the Principal Ordinance is amended by omitting the words “, with the consent of the Director,”.

Repeal of
section 39.

16. Section thirty-nine of the Principal Ordinance is repealed.

17. Sections forty-one and forty-two of the Principal Ordinance are repealed. Repeal of sections 41 and 42.

18. Notwithstanding the repeal of sections forty-one and forty-two of the Principal Ordinance a lease granted to an institution under the repealed sections shall continue as though those sections had not been repealed. Saving.

19. Section forty-five of the Principal Ordinance is amended— Persons not to enter reserves without authority.

- (a) by inserting in paragraph (b) after the word “officer” the words “, non-commissioned officer or constable of police or an officer”;
- (b) by omitting from paragraph (c) the word “or” (second occurring); and
- (c) by adding at the end of paragraph (d) the following word and paragraph:—
 - “; or (e) he is the holder of a permit issued—
 - (i) under the *Mining Ordinance* 1939-1960 permitting him to enter or to carry on mining on the reserve;
 - OR
 - (ii) under the *Petroleum (Prospecting and Mining) Ordinance* 1954-1960 permitting him to enter upon the reserve for the purpose of searching for petroleum or for carrying on mining operations or to search for petroleum or to carry on mining operations on the reserve.”.

20. Section forty-six of the Principal Ordinance is amended by adding at the end of paragraph (a) the words “or under any other Ordinance where the purpose for which the lease is expressed to be granted relates to the care, protection, maintenance or education of wards”. Administrator, &c., may enter and authorize entry on land leased to institution.

21. Section forty-seven of the Principal Ordinance is amended— Persons not to enter lands of institution without authority.

- (a) by inserting in paragraph (b) after the word “officer” the words “, non-commissioned officer or constable of police or an officer”;

(b) by omitting from paragraph (c) the word “or” (second occurring); and

(c) by adding at the end of paragraph (d) the following word and paragraph:—

“; or (e) he is the holder of a permit issued—

(i) under the *Mining Ordinance* 1939-1960 permitting him to enter or to carry on mining on the reserve; or

(ii) under the *Petroleum (Prospecting and Mining) Ordinance* 1954-1960 permitting him to enter upon the reserve for the purpose of searching for petroleum or for carrying on mining operations or to search for petroleum or to carry on mining operations on the reserve.”.

22. Sections sixty-one to seventy (inclusive) of the Principal Ordinance are repealed and the following section is inserted in their stead:—

Measures for
maintaining
order on
reserves.

“ 61.—(1.) The superintendent of a reserve or an institution or, in the absence of the superintendent, a welfare officer, may, for the purpose of controlling the management of or maintaining order on the reserve or institution, give orders and directions to a ward who is on the reserve or institution.

“ (2.) A ward to whom an order or direction is given under the last preceding sub-section shall comply with that order or direction.

Penalty: Imprisonment for three months.

“ (3.) A welfare officer or the superintendent of the reserve may arrest without warrant a ward whom he believes on reasonable grounds to have committed an offence against the last preceding sub-section.”.

23. Section seventy-one of the Principal Ordinance is amended by inserting after sub-section (1.) the following sub-section:—

Persons not to ill-treat wards.

“(1A.) It shall be a defence to a charge under the last preceding sub-section if the defendant proves, to the satisfaction of the court hearing the charge, that he has taken all practicable steps to provide the ward with reasonable food, shelter, clothing and facilities for hygiene.”

24. Section seventy-three of the Principal Ordinance is repealed.

Repeal of section 73.

25. Section seventy-five of the Principal Ordinance is repealed.

Repeal of section 75.

26. Sections eighty and eighty-one of the Principal Ordinance are repealed.

Repeal of sections 80 and 81.

27. Section eighty-two of the Principal Ordinance is amended by omitting paragraphs (b) and (c) of sub-section (4.).

Trial of a ward.

28. After the Second Schedule to the Principal Ordinance the following Schedule is added:—

Third Schedule.

“ THIRD SCHEDULE.

Section 17.

FORM 1.

THE NORTHERN TERRITORY OF AUSTRALIA.

Welfare Ordinance 1953-1961.

IN THE COURT OF SUMMARY JURISDICTION AT { In the matter of an application under section 17 of the *Welfare Ordinance 1953-1961.*
Re †

Take notice that at the hour of 10 o'clock in the forenoon on the day of , 19 , the *Director of Welfare appointed under the above-mentioned Ordinance will apply to the Court of Summary Jurisdiction holden at for an order under section 17 of that Ordinance that you † be taken into custody and removed to

*a reserve an institution and there detained until the day of , 19 .

Dated this day of , 19 .

To † of

*Director of Welfare.
Welfare Officer.

* Strike out whichever is inappropriate.
† Here insert name of the ward.

THIRD SCHEDULE—*continued.*

Section 17.

FORM 2.

THE NORTHERN TERRITORY OF AUSTRALIA.

Welfare Ordinance 1953-1961.

IN THE COURT OF SUMMARY JURISDICTION AT

In the matter of an application under section 17 of the *Welfare Ordinance 1953-1961.*

Re _____ †

the _____ day of _____, 19 _____

Whereas on the _____ day of _____, 19 _____, § the Director of Welfare appointed under the above-mentioned Ordinance applied a welfare officer in accordance with that Ordinance for an order under section 17 of that Ordinance with respect to the abovenamed _____ † a ward under and for the purposes of that Ordinance and the said application having duly been heard by the Court on _____ in the *presence of the said _____ † absence in the interest of the said ward and it appearing to the Court to be *in the interest of wards at _____ to make the order applied for in the public interest

It is ordered that the said _____ † be taken into custody and removed to the _____ *a reserve an institution there to be kept until the _____ day of _____, 19 _____.

*Stipendiary Magistrate
Special Magistrate.

* Strike out whichever is inappropriate.
† Here insert the name of the ward.

Section 17.

FORM 3.

THE NORTHERN TERRITORY OF AUSTRALIA.

Welfare Ordinance 1953-1961.

To _____ a welfare officer appointed under the *Welfare Ordinance 1953-1961.*
or

To _____ the Director of Welfare appointed under the above-mentioned Ordinance and to each and all of the welfare officers appointed under that Ordinance and to each and all of the constables and peace officers of the Northern Territory of Australia and _____ Superintendent of *a reserve an institution under and for the purposes of that Ordinance.

Whereas on the _____ day of _____, 19 _____ a welfare officer [or the Director of Welfare] appointed under the *Welfare Ordinance 1953-1961* applied to the Court of Summary Jurisdiction holden at _____ † for an order under section 17 of that Ordinance with respect to

And whereas on the _____ day of _____, 19 _____ † an order was made under that section authorizing the said _____ † to be taken into custody, removed to _____ *a reserve an institution for the purposes of that Ordinance and there detained until the day of _____, 19 _____

THIRD SCHEDULE—continued.

You are therefore hereby commanded to take the said into your custody and to remove the said if necessary, to there to deliver the said of the Superintendent of the said until the And for so doing this shall be your sufficient warrant. Dated the

into your custody and to remove the said if necessary, to there to deliver the said of the Superintendent of the said until the And for so doing this shall be your sufficient warrant. Dated the

† by force. *the reserve the institution above-mentioned and † into the custody and control to be detained in such custody and day of , 19 .

*Stipendiary Magistrate
Special Magistrate.

* Strike out whichever is inappropriate.
† Here insert the name of the ward.

Section 17.

FORM 4.

THE NORTHERN TERRITORY OF AUSTRALIA.
Welfare Ordinance 1953-1961.

IN THE COURT OF SUMMARY JURISDICTION AT SUMMARY { In the matter of an application under section 17 of the Welfare Ordinance 1953-1961. Re

I of in the Northern Territory being duly sworn make oath and say as follows:—

- (1) I am [here insert occupation]
(2) On the day of , 19 , I served † with the notice appearing on the front hereof by delivering a copy thereof to him personally at
(3) At the same time and place I explained to the person I served the effect of the notice and he appeared fully to understand the same [or as the case may be].

Signed and sworn this day of , 19 , at } Justice of Peace.
before me † Here insert the name of the ward.

Section 26.

FORM 5.

THE NORTHERN TERRITORY OF AUSTRALIA.
Welfare Ordinance 1953-1961.

IN THE COURT OF SUMMARY JURISDICTION AT SUMMARY { In the matter of an application under section 26 of the Welfare Ordinance 1953-1961. Re

Take notice that I, the Director of Welfare appointed under the Welfare Ordinance 1953-1961 will on the day of , 19 , at the hour of ten o'clock in the forenoon apply to the Court of Summary Jurisdiction at in the Northern Territory for an order under section 26 of that Ordinance vesting such of your property as is specified below in me as Director of Welfare for such period as is specified below.

Property specified—
Period specified—

Dated this day of , 19 .
To: †
of

Director of Welfare,

† Here insert the name of the ward.

THIRD SCHEDULE—continued.

Section 26.

FORM 6.

THE NORTHERN TERRITORY OF AUSTRALIA.

Welfare Ordinance 1953-1961.

IN THE COURT OF SUMMARY JURISDICTION AT { In the matter of an application under section 26 of the Welfare Ordinance 1953-1961.

The day of , 19 . Re †

Whereas on the day of , 19 , the Director of Welfare appointed under the Welfare Ordinance 1953-1961 applied to this Court for an order under section 26 of that Ordinance with respect to the property of the ward † and whereas the said application was duly heard in the *presence absence of the said †

And the Court being satisfied that the property of the said † is such as to require *management investment and the said † not having established to the satisfaction of the Court that he is able to use and manage the property to good advantage it is ordered that such of the property of the said † as is specified below do vest in the said Director of Welfare for such period as is specified below.

Property specified—

Period specified—

Dated this day of , 19 .

*Stipendiary Magistrate Special Magistrate. "

* Strike out whichever is inappropriate. † Here insert the name of the ward.