2008

The Parliament of the Commonwealth of Australia

SENATE

Presented and read a first time

National Commissioner for Children Bill 2008

No. , 2008

(Senator Bartlett)

A Bill for an Act to establish an Office of National Commissioner for Children and Young People, and for related purposes

Contents

Part 1-	—Prelimina	ry	1
	1	Short title	1
	2	Commencement	1
	3	Main object of Act	2
	4	Principles underlying this Act	2
	5	Definitions	3
	6	Operation of State and Territory laws	4
	7	Extension to external Territories	4
	8	Extent to which Act binds the Crown	5
Part 2-		the National Commissioner for Children and	
	Young Pe	ople	6
Div	vision 1—Off	ice of the National Commissioner for Children	
	and	d Young People	6
	9	Establishment of the Office of the National Commissioner for Children and Young People	6
	10	National Commissioner for Children and Young People	6
	11	Terms and conditions of appointment	7
	12	Remuneration of Commissioner	7
	13	Leave of absence	7
	14	Outside employment	7
	15	Resignation	8
	16	Termination of appointment	8
	17	Acting Commissioner	8
	18	Staff and consultants	9
Div	vision 2—Fur	nctions of the Commissioner	10
	19	Functions of the Commissioner	10
	20	How the Commissioner is to perform functions	11
	21	Commissioner must act independently	12
	22	Cooperation with other agencies	12
	23	Appointment of Deputy Commissioners	12
Div	ision 3—Rep	oorts	14
	24	Report to the United Nations Committee on the Rights of the Child	14
	25	Reports on inquiries and other functions	14
	26	Annual report	15
	27	Reports to be tabled in Parliament	15

Division 4—	-Advi	sory Committee on Children	16
2	8	Definitions	16
2	9	Advisory Committee on Children	16
3	0	Membership	16
3	1	Functions	17
3	2	Procedures of the Advisory Committee	17
3	3	Appointment conditions of members	17
Division 5—	-Othe	r advice	18
3	4	Commissioner may establish other committees	18
3	5	Commissioner to seek advice in relation to young people	18
3	6	Commissioner may consult other bodies	18
Part 3—Nation	nal Co	ode for the Protection of Children	19
3	7	Object of Part	19
3	8	National Code for the Protection of Children	19
3	9	Implementation	19
4	0	Code to be prepared in first term	
Part 4—Miscel	llaneo	ous	21
4	1	Regulations	21

1 2	A Bill for an Act to establish an Office of National Commissioner for Children and Young People, and for related purposes
3	for related purposes
4	The Parliament of Australia enacts:
5 6	Part 1—Preliminary
7	1 Short title
8 9	This Act may be cited as the <i>National Commissioner for Children Act 2008</i> .
0	2 Commencement
1 2	(1) Subject to subsection (2), this Act commences on a day to be fixed by proclamation.