

(5.) If a parent whose attendance at a Children's Court is required or directed under this section fails without reasonable excuse to attend the Court, the Court may direct a warrant to issue to bring him before the Court at the hearing or further hearing.

(6.) A parent in respect of whom a warrant is issued may be admitted to bail on entering into a recognizance, with or without sureties, to attend the Court at the hearing of the application or charge.

36.—(1.) Upon the hearing of an application that a child be declared a destitute, neglected, incorrigible or uncontrollable child, a Children's Court may, on being satisfied that the application should be granted—

Powers of Children's Court on hearing of application.

- (a) declare the child to be a destitute, neglected, incorrigible or uncontrollable child; and
- (b) order a child so declared to be—
  - (i) committed to the care of the Director;
  - (ii) committed to the care of a person who is willing to undertake the care on such terms and conditions as the Court thinks fit until the child attains the age of eighteen years or during such shorter period as the Court thinks fit;
  - (iii) sent to an institution specified in the order and detained or otherwise dealt with there under this Ordinance until the child attains the age of eighteen years or during such shorter period as the Court thinks fit; or
  - (iv) released on probation on such conditions (if any) as the Court orders.

(2.) Where a Children's Court declares a child to be a destitute or neglected child and makes in relation to the child an order made under, or having effect as if it were made under, subparagraph (ii) of paragraph (b) of the last preceding sub-section, the Court may declare the child to be a State child during the period to which the order relates.

37.—(1.) Where, in accordance with the provisions of this Ordinance, an order is made that a child be released on probation—

Orders relating to children declared to be destitute, &c., children.

- (a) the court making the order shall forward to the Director a copy of the order; and
- (b) while the order is in force—
  - (i) the child is subject to the supervision of the Director for the period specified in the order; and

- (ii) a person authorized in writing by the Director to do so may enter the premises where the child resides and may inspect them and the child.

(2.) Where, in accordance with the provisions of this Ordinance, an order is made that a child be committed to the care of a person who is willing to undertake the care—

- (a) the court making the order shall not commit the child to the care of a person of a religious faith to which the father or other person having the right to direct in what religion the child shall be educated objects;
- (b) the court making the order shall forward to the Director a copy of the order; and
- (c) while the order is in force—
  - (i) the person to whose care the child is committed is entitled to the care of the child; and
  - (ii) a person authorized in writing by the Director to do so may enter the premises where the child resides and may inspect them and the child.

(3.) Where, in accordance with the provisions of this Ordinance, an order is made that a child be committed to the care of the Director, the child is subject to the supervision of the Director while the order is in force.

(4.) An order made or having effect as if it were made under the last preceding section or an order made under section sixty-two of this Ordinance ceases to be in force when the period specified in the order expires or the child named in the order attains the age of eighteen years, whichever first occurs.

Breach by  
child of  
terms of  
release or  
committal.

38.—(1.) In this section, “child” includes a person, who, as a child, has under this Ordinance been released on probation or committed to the care of a person.

(2.) Where a child who has, under this Ordinance, been released on probation or committed to the care of a person breaks or is reasonably suspected of having broken the terms or conditions of his release or the terms or conditions on which he was committed to the care of a person, the child may without warrant be taken into custody by a police officer or person authorized in writing by the Administrator to act under this section and detained until he can be brought before a Children’s Court.

(3.) The provisions of section thirty-two of this Ordinance apply to and in relation to a child taken into custody under this section as if the child had been taken into custody under section thirty-one of this Ordinance.

(4.) Where a police officer or person authorized in writing by the Administrator to act under this section makes oath before a Justice that a child who has under this Ordinance been released

on probation or committed to the care of a person has broken the terms or conditions of his release or the terms or conditions on which he was committed to the care of a person, the Justice may issue his summons for the appearance of the child before a Children's Court.

(5.) If it is proved that a child brought before a Children's Court under this section, or appearing before a Children's Court in answer to a summons under this section, has broken the terms or conditions on which he was committed to the care of a person, the Court may—

- (a) where the child has not attained the age of eighteen years, exercise in respect of the child any of the powers specified in paragraphs (a) and (b) of sub-section (1.) of section thirty-six of this Ordinance; or
- (b) where the child has attained the age of eighteen years, order him to pay a fine not exceeding Fifty pounds or, in default, to be imprisoned for not more than six months.

(6.) An order may under paragraph (a) of the last preceding sub-section shall have effect as if it were made under section thirty-six of this Ordinance.

**39.**—(1.) A Children's Court may at any time vary the period or conditions, or terminate the period, of probation or of committal to the care of a person which it has imposed on a child. Variation, &c., of period of probation or committal.

(2.) A Children's Court which has made an order that a child be released on probation to, or committed to the care of, a person, may, upon the application of a person authorized by the Director to make the application, vary the order by substituting another person for a person named in the order.

**40.** Where, in accordance with the provisions of this Ordinance, a child is committed to the care of the Director, the order of committal is sufficient authority to a police officer or person approved in writing by the Director to do so to take the child to an institution nominated for the reception of the child by the Director or, if the Director does not nominate an institution for that purpose, to the nearest or most convenient institution. Authority of order of committal.

**41.**—(1.) A person who—

- (a) wilfully interrupts the proceedings of a Court;
- (b) conducts himself disrespectfully to the magistrate or a member of a Court during the sittings of the Court;
- (c) obstructs or assaults a person in attendance at a Court or an officer of a Court—
  - (i) in the execution of his duty; and
  - (ii) in view of the Court; or

Contempt of Court.

(d) wilfully disobeys an order made by a Court that all witnesses (except the parties and any of their witnesses whom the Court sees fit to except) shall go and remain outside and beyond the hearing of the Court until required to give evidence,  
is guilty of an offence.

Penalty: Five pounds or imprisonment for ten days.

(2.) A person who in the opinion of the Court wilfully prevaricates in giving evidence to a Court is guilty of an offence.

Penalty: Five pounds or imprisonment for ten days.

(3.) A Court in whose presence an offence under this section is committed may forthwith convict the person guilty of the offence either on its own view or on the oath of a credible witness and may issue its warrant of commitment accordingly.

(4.) Every warrant of commitment under this section shall be good and valid in law without any other order, summons or adjudication.

(5.) If a person convicted of an offence under sub-section (1.) of this section makes to the convicting Court, before the rising of the Court, such apology for the interruption or misbehaviour as the Court in its uncontrolled discretion deems satisfactory the Court may, if it thinks fit, remit the penalty either wholly or in part.

**Appeals.**

**42.—**(1.) A Children's Court may, at discretion, reserve for the consideration of the Supreme Court any question of law arising on or out of the hearing or determination of an information, complaint or application, and may state a special case or cases for the opinion of the Supreme Court.

(2.) There shall be an appeal to the Supreme Court from any conviction, order or adjudication of a Children's Court, including a conviction of a minor indictable offence or an order dismissing a complaint of a simple offence.

(3.) The provisions of the *Justices Ordinance 1928–1957* relating to appeals from Courts of Summary Jurisdiction shall apply, so far as they are applicable, to an appeal from a Children's Court under this section, whether by way of special case or otherwise.

**PART VI.—AFFILIATION PROCEEDINGS.**

**43.—**(1.) Where a single woman is with child by a man who has not made adequate provision for the payment of confinement expenses in connexion with the birth of the child, a complaint may be made before a Justice in accordance with this section—

(a) by the woman; or

(b) with the consent of the woman, by—

(i) the Director; or

(ii) a person authorized in writing by the Director to make a complaint under this Part.

Affiliation proceedings before birth of child.

(2.) A complaint under this section—

(a) shall be—

- (i) in writing; and
- (ii) on oath; and

(b) shall state—

- (i) that the woman is with child;
- (ii) the name of the man by whom she is with child; and
- (iii) that the man specified in the last preceding sub-paragraph has not made adequate provision for the payment of the confinement expenses in connexion with the birth of the child and is over the age of eighteen years.

(3.) In this section, “ man ” means a male person over the age of eighteen years at the time of the making of the complaint.

(4.) An allegation in a complaint under this section that a specified person was at the time of the making of the complaint over the age of eighteen years shall in any proceedings under this Part be deemed to be proved in the absence of proof to the contrary.

**44.—(1.)** Where the father of an illegitimate child has left it without means of support and the father is over the age of eighteen years a complaint may be made before a Justice in accordance with this section by—

- (a) the mother of the child;
- (b) the Director; or
- (c) a person authorized in writing by the Director to make a complaint under this Part.

(2.) A complaint under this section—

(a) shall be—

- (i) in writing; and
- (ii) on oath; and

(b) shall state—

- (i) the name of the mother of the child;
- (ii) the name of the child;
- (iii) the name of the father of the child; and
- (iv) that the male person named as the father of the child has left the child without means of support and is over the age of eighteen years.

(3.) An allegation in a complaint under this section that a specified person was at the time of the making of the complaint over the age of eighteen years shall in any proceedings under this Part be deemed to be proved in the absence of proof to the contrary.

Affiliation proceedings after birth of child.

Justice may  
issue summons  
or warrant.

**45. Where—**

- (a) a complaint is made in accordance with section forty-three of this Ordinance or the last preceding section; and
- (b) the person making the complaint produces evidence on oath, either oral or on affidavit, in corroboration of some material particular as to the paternity of the child,

the Justice before whom the complaint is made may summon the male person complained against to appear before a Court to answer the complaint or, if satisfied that the circumstances require it, issue a warrant for the male person's apprehension.

Order for  
payment of  
confinement  
expenses.

**46.—(1.)** Where a Court hearing a complaint under section forty-three of this Ordinance is satisfied—

- (a) by the evidence of a medical practitioner or the certificate of a medical practitioner admitted as evidence with the consent of the defendant, that the woman is with child;
- (b) that the defendant is the male person by whom the woman is with child; and
- (c) that the defendant is over the age of eighteen years,

the Court may, unless it is satisfied that at the time the child was begotten the woman was a common prostitute, order the defendant to pay to the Director for confinement expenses such sum, not exceeding Seventy-five pounds, as the Court thinks fit.

(2.) A Court shall not make an order under the last preceding sub-section on the evidence of the woman unless that evidence is corroborated in some material particular.

Order for  
payment of  
maintenance.

**47.** A Children's Court ordering a defendant to pay for confinement expenses under the last preceding section may at the same time order the defendant to pay to the Director weekly such sum for maintenance of the child as the Court thinks fit.

Order on  
complaint  
after birth  
of child.

**48.—(1.)** Where a Court hearing a complaint under section forty-four of this Ordinance is satisfied that the child is illegitimate and that the defendant is the father of the child, is over the age of eighteen years, and has left the child without means of support, the Court may, unless it is satisfied that at the time the child was begotten the woman was a common prostitute, order the defendant to pay to the Director weekly such sum for maintenance of the child as the Court thinks fit.

(2.) A Court ordering a defendant to pay for maintenance of a child under the last preceding sub-section may at the same time order the defendant to pay to the Director such sum, not exceeding Seventy-five pounds, for confinement expenses, as the Court thinks fit.

(3.) A Court shall not make an order under sub-section (1.) of this section on the evidence of the mother of the child unless that evidence is corroborated in some material particular.

49. An order for maintenance under section forty-seven of this Ordinance or the last preceding section—

Duration of order for maintenance.

- (a) is not enforceable until notice of the date of birth of the child is served on the defendant; and
- (b) relates to maintenance of the child from the date of birth of the child until—
  - (i) the child dies;
  - (ii) the order is discharged by a court of competent jurisdiction; or
  - (iii) the child attains the age of sixteen years, whichever first occurs.

50.—(1.) Subject to the next succeeding sub-section, the Director shall—

Disposal of money paid for confinement expenses or maintenance.

- (a) retain any sum paid to him under section forty-six of this Ordinance until the child is born and then apply the sum towards payment of the confinement expenses;
- (b) apply any sum paid to him under sub-section (2.) of section forty-eight of this Ordinance towards payment of the confinement expenses; and
- (c) apply any sum paid to him under section forty-seven or sub-section (1.) of section forty-eight of this Ordinance towards payment of the cost of maintaining the child.

(2.) Where any doubt or question arises as to the disposal of money paid under this Part or Part VII. of this Ordinance for confinement expenses or maintenance, a Court may, on application by the Director or the mother of the child, by order give directions as to the disposal of the money.

51.—(1.) If at the hearing of a complaint in respect of the maintenance of an illegitimate child, a male person over the age, or apparently over the age, of eighteen years admits or says that he had sexual intercourse with the mother of the child at any time which is such that, in the opinion of the Court, the male person may possibly be the father of the child, the Court may, upon the hearing and without complaint made for the purpose, order the male person to pay to the Director weekly a sum for or towards maintenance of the child and may also, if the Court thinks fit, at the same time order the male person to pay to the Director a sum for or towards confinement expenses in respect of the child; but no order shall be made under this sub-section unless the male person is given an opportunity to be heard by the Court in respect of the making of the order.

Liability of person admitting sexual intercourse with mother of illegitimate child.

(2.) An order may be made under the last preceding sub-section against each of any number of male persons.

(3.) If on the hearing of a complaint in respect of the maintenance of an illegitimate child it is proved to the satisfaction of the Court that the defendant had sexual intercourse with the mother of the child at any time which is such that, in the opinion of the Court, the defendant may possibly be the father of the child, and the defendant is over the age, or apparently over the age, of eighteen years, the Court may (without limiting the powers of the Court to make any other order which it is empowered to make by this or any other section of this Ordinance) order the defendant to pay to the Director weekly a sum for or towards maintenance of the child and may also, if the Court thinks fit, at the same time order the defendant to pay to the Director a sum for or towards confinement expenses in respect of the child.

(4.) An order made under this section shall be deemed to be—

- (a) an order under sub-section (1.) of section forty-eight of this Ordinance, if the order is an order to pay for or towards maintenance of the child; or
- (b) an order under sub-section (2.) of section forty-eight of this Ordinance, if the order is an order to pay for or towards confinement expenses in respect of the child.

(5.) The amount of a sum ordered by a Court to be paid under this section to the Director—

- (a) weekly for or towards maintenance of an illegitimate child; or
- (b) for or towards confinement expenses in respect of an illegitimate child,

shall be such as the Court thinks just, but so that neither the total of the sums ordered to be paid weekly under this Ordinance for or towards maintenance of the child nor the total of the sums ordered to be paid under this Ordinance for or towards confinement expenses in respect of the child exceeds respectively the sum to be paid weekly for maintenance of the child or the sum to be paid for confinement expenses in respect of the child which the Court would have ordered if the hearing had been the hearing of a complaint under section forty-four of this Ordinance and the defendant had been the defendant at that hearing.

(6.) A Court shall not make an order under this section to pay for or towards maintenance of an illegitimate child or confinement expenses in respect of an illegitimate child if the Court is satisfied that at the time the child was begotten the mother of the child was a common prostitute.

(7.) Where an application is made to a Court for the making of an order under this section and the Court refuses the application, the Court shall make a memorandum of the refusal.



52.—(1.) The Director or a person authorized in writing by the Director to make a complaint under this Part may make a complaint against a male person over the age of eighteen years at the time of the making of the complaint alleging that the male person had sexual intercourse with the mother of an illegitimate child at a time which is such that the male person may possibly be the father of the illegitimate child.

Power to lay complaint for support of illegitimate child by one or more persons.

(2.) A Justice may summon a male person against whom a complaint is made under the last preceding sub-section to appear before a Court and show cause why he should not pay for or towards past or future maintenance of the illegitimate child and confinement expenses in respect of the illegitimate child; or, if satisfied that the circumstances require it, issue a warrant in the first instance for the apprehension of that male person.

(3.) If at the hearing of the complaint the Court is satisfied that the male person had sexual intercourse with the mother of the illegitimate child at a time which is such that the male person may possibly be the father of the child and that the male person was over the age of eighteen years at the time of the making of the complaint, the Court may order the male person to pay to the Director weekly a sum for or towards maintenance of the child and may also, if the Court thinks fit, at the same time order the male person to pay to the Director a sum for or towards confinement expenses in respect of the child.

(4.) A complaint or order under this section may be made against each of any number of male persons.

(5.) An order made under this section shall be deemed to be—

- (a) an order under sub-section (1.) of section forty-eight of this Ordinance, if the order is an order to pay for or towards maintenance of the child; or
- (b) an order made under sub-section (2.) of section forty-eight of this Ordinance, if the order is an order to pay for or towards confinement expenses in respect of the child.

(6.) A Court hearing a complaint under this section may vary an order made under this Ordinance for the payment of a sum weekly for or towards maintenance of the child or a sum for or towards confinement expenses in respect of the child.

(7.) The amount of a sum ordered by a Court to be paid under this section to the Director—

- (a) weekly for or towards maintenance of an illegitimate child; or
- (b) for or towards confinement expenses in respect of an illegitimate child,

shall be such as the Court thinks just, but so that neither the total of the sums ordered to be paid weekly under this Ordinance for or towards maintenance of the child nor the total of the sums

ordered to be paid under this Ordinance for or towards confinement expenses in respect of the child exceeds respectively the sum to be paid weekly for maintenance of the child or the sum to be paid for confinement expenses in respect of the child which the Court would have ordered if the hearing had been the hearing of a complaint under section forty-four of this Ordinance and a male person against whom an order is made or varied under this section had been the defendant at that hearing.

(8.) A Court shall not make an order under this section to pay for or towards maintenance of an illegitimate child or confinement expenses in respect of an illegitimate child if the Court is satisfied that at the time the child was begotten the mother of the child was a common prostitute.

(9.) In any proceedings under this section, an allegation in a complaint that a specified person was at the time of the making of the complaint over the age of eighteen years shall be deemed to be proved in the absence of proof to the contrary.

Payment of  
funeral expenses  
of illegitimate  
child.

**53.—(1.)** Where an illegitimate child dies, the Court may, on application by the Director or the mother of the child, by order—

- (a) direct a person admitting himself or adjudged by a Court to be the father of the child to pay such sum to the Director as the Court considers reasonable for or towards the funeral expenses of the child; and
- (b) direct the Director as to the disposal of that sum.

(2.) Where the mother of an illegitimate child (including a child which has been still-born after the commencement of the sixth month of pregnancy) dies during parturition or in consequence of parturition, a Court may, on the application of the Director, by order—

- (a) direct a person admitting himself or adjudged by a Court to be the father of the child to pay such sum to the Director as the Court considers reasonable for or towards the funeral expenses of the mother; and
- (b) direct the Director as to the disposal of that sum.

(3.) For the purposes of this section a person against whom an order is made under section forty-six, forty-seven, forty-eight or fifty-one of this Ordinance or the last preceding section is deemed to be adjudged by the Court making the order to be the father of the child.

Complaint on  
refusal, &c.,  
to comply with  
order, &c.

**54.—(1.)** On complaint in writing and on oath being made to a Justice by the Director or a person authorized in writing by the Director to make a complaint under this Part that a person

against whom an order relating to confinement expenses, maintenance or funeral expenses has been made under this Ordinance—

- (a) has refused, failed or neglected to comply with the order;  
or
- (b) is attempting to leave the Northern Territory without making arrangements satisfactory to the Director for future payments under the order,

the Justice may summon the person complained against to appear before a Court to answer the complaint, or, if satisfied that the circumstances require it, issue a warrant in the first instance for the apprehension of the person complained against.

(2.) If at the hearing of a complaint under this section the Court is satisfied that the person complained against has refused, failed or neglected to comply with the order or is attempting to leave the Northern Territory without making arrangements satisfactory to the Director for future payments under the order, the Court may—

- (a) commit the person complained against to prison for a period not exceeding twelve months, with or without hard labour; or
- (b) require the person complained against to find security satisfactory to the Court that he will—
  - (i) in future comply with the order; or
  - (ii) not leave the Northern Territory without making arrangements satisfactory to the Director for future payments under the order, as the case requires.

(3.) A Court may commit to prison for a period not exceeding twelve months, with or without hard labour, a person required to find security under paragraph (b) of the last preceding subsection if the person does not find that security to the satisfaction of the Court.

55. Where an order for payment of confinement expenses is made under this Part and no child is born, within nine months after the date of the order, to the woman in respect of whom the order is made, the Director shall return to the person against whom the order is made any money paid by that person to the Director under the order.

Director to return money paid for confinement expenses where no child is born.

56. The lapse of an order for maintenance under this Ordinance does not affect the liability of the person against whom the order was made to pay any money due under the order at the time the order lapsed.

Lapse of order not to affect money due at time of lapsing.

## PART VII.—STATE CHILDREN.

Liability for  
maintenance  
of State  
children.

**57.—(1.)** The near relatives specified in the next succeeding sub-section are liable to pay for or contribute towards the maintenance of a State child in accordance with their ability and in the order specified in that sub-section.

(2.) The liability specified in the last preceding sub-section lies—

- (a) on the father of the child;
- (b) if the father is dead or unable to pay for all the cost of maintaining the child, on the mother of the child;
- (c) if the father is dead and the mother is dead or unable to pay for all the cost of maintaining the child, on the stepfather (if any) of the child; and
- (d) if the mother is dead and the father is dead or unable to pay for all the cost of maintaining the child, on the stepmother (if any) of the child.

(3.) In this section—

- (a) “ father ”—
  - (i) includes, in the case of an adopted child, an adopting father and the husband of an adopting mother; and
  - (ii) means, in the case of an illegitimate child who is not adopted, a person admitting himself to be, or adjudged by a Court to be, the father of the child;
- (b) “ mother ” includes, in the case of an adopted child, an adopting mother and the wife of an adopting father;
- (c) “ stepfather ” means a man who marries the mother of the child after the death of the father of the child;
- (d) “ stepmother ” means a woman who marries the father of the child after the death of the mother of the child.

Enforcement  
proceedings.

**58.—(1.)** The Director or a person authorized by him in writing to act under this section may make a complaint that a person liable to pay for or contribute towards the cost of maintaining a State child is able but refuses to do so.

(2.) On complaint being made under the last preceding sub-section a Justice may summon the person specified in the complaint to appear before a Court at a time and place appointed in the summons to show cause why he should not pay for or contribute towards the past or future maintenance of the child.

Order for  
payment of  
maintenance of  
State child.

**59.** Where at a hearing a Court is satisfied that a person summoned under this Part—

- (a) is a near relative of and liable to pay for or contribute towards the cost of the maintenance of the State child specified in the summons; and

- (b) is able to pay for or contribute towards the cost of the past or future maintenance of the child but refuses to do so,

the Court may order the person to pay to the Director such sum for or towards the cost of the past maintenance of the child, not being maintenance of the child after the child has attained the age of sixteen years, as the Court thinks appropriate or such weekly sum for or towards the cost of the future maintenance of the child for such period until the child attains the age of sixteen years as the Court thinks appropriate, or both.

**60.** Subject to the next succeeding section, upon the hearing of a complaint in respect of the maintenance of a State child, an allegation in the complaint—

- (a) that the person complained against is a near relative liable and able to pay for or contribute towards the cost of the maintenance of the child; or
- (b) that a specified sum—
- (i) has been expended upon; or
  - (ii) is due or owing for or in respect of, the cost of the maintenance of the child,

shall, be *prima facie* evidence of the matter alleged.

**61.—(1.)** Upon the hearing of a complaint against a person in respect of the maintenance of an illegitimate State child, an allegation in the complaint that the person is the father of the child is not evidence of the matter alleged; but a Court hearing the complaint may, subject to the next succeeding sub-section, adjudge him to be the father of the child and make an order against him under this Part.

(2.) A person shall not be adjudged under the last preceding sub-section to be the father of an illegitimate State child—

- (a) upon the evidence of the mother, unless her evidence is corroborated in some material particular;
- (b) if the Court hearing the complaint is satisfied that at the time the child was begotten the mother was a common prostitute; or
- (c) if the evidence adduced, including evidence of the results of serological tests, indicates that it is impossible or unlikely that he is the father of the child.

**62.—(1.)** A State child who absconds from his proper custody is guilty of an offence.

(2.) A Justice may issue a warrant for the arrest of a State child who has absconded or been illegally removed from his proper custody.

Allegations to be *prima facie* evidence.

Evidence as to paternity.

State child absconding or illegally removed from proper custody.

(3.) A Court finding a State child guilty of an offence under sub-section (1.) of this section may—

- (a) order the child to be—
  - (i) committed to the care of the Director;
  - (ii) committed to the care of a person who is willing to undertake the care on such terms and conditions as the Court thinks fit until the child attains the age of eighteen years or during such shorter period as the Court thinks fit;
  - (iii) sent to an institution specified in the order and detained or otherwise dealt with there under this Ordinance until the child attains the age of eighteen years or during such shorter period as the Court thinks fit; or
  - (iv) released on probation on such conditions (if any) as the Court orders; or
- (b) return the State child to his former custody.

(4.) The Director shall ensure that a State child who has been arrested on a warrant issued under sub-section (2.) of this section is, as soon as practicable—

- (a) brought before a Court, if the child has absconded from his proper custody; or
- (b) placed in an institution or the dwelling of a police officer, if the child has been illegally removed from his proper custody.

(5.) A State child who—

- (a) has been temporarily released from his proper custody; and
- (b) fails to return to that custody in accordance with the conditions of his temporary release,

shall be deemed to have absconded from his proper custody.

State child  
may be  
apprenticed.

**63.—(1.)** The Director or a person authorized in writing by the Director to act under this section may—

- (a) by indenture bind a State child or cause a State child to be bound as an apprentice; or
- (b) place the State child in suitable employment without apprenticeship, if in the opinion of the Director it is not possible or desirable to take action under the last preceding paragraph.

(2.) Where, in accordance with this section, a State child is apprenticed or placed in employment without apprenticeship, the indentures of apprenticeship or agreement relating to the employment—

- (a) shall be in such form as is prescribed; and