

Maintenance Act Amendment Act 1941, South Australia

1941 – 1972

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Details

The Maintenance Act Amendment Act 1941 (Act No. 44/1941) was fully entitled 'An Act to amend the Maintenance Act, 1926-1937 and for other purposes'. It commenced on 27 November 1941. This Act replaced the terms 'uncontrollable' and 'incorrigible' with the term 'uncontrolled'. It also allowed for the Children's Welfare and Public Relief Board to transfer children to the control of the Comptroller of Prisons which meant they could be sent to an adult prison.

The Maintenance Act Amendment Act 1941 amended the Maintenance Act 1926. One of the significant amendments was the deletion of the terms 'uncontrollable' and 'incorrigible' and insertion of the term 'uncontrolled' in their place. This alteration of terminology appears to move the responsibility for behaviour away from children and towards parents. It acknowledged that children are not uncontrollable but rather that parents were unable or had failed to control them adequately. A new Section was also added which allowed the Children's Welfare and Public Relief Board to transfer children in their custody, whose behaviour was deemed to be 'unruly or depraved', to the Comptroller of Prisons. Under this new section a child could be retained in an adult prison until the end of their term of State care, which was generally until the age of 18.

More info

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Related Glossary Terms

- [Uncontrollable \(c. 1867 - 1990s\)](#)

Amends

- [Maintenance Act 1926, South Australia \(1927 - 1972\)](#)

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