

PARLIAMENT OF VICTORIA

**Children, Youth and Families Amendment (Out of
Home Care Age) Bill 2020**

TABLE OF PROVISIONS

<i>Clause</i>		<i>Page</i>
1	Purpose	1
2	Commencement	1
3	Principal Act	2
4	Definitions	2
5	Responsibilities of the Secretary	2
6	New Division 4 of Part 4.3 inserted	3
7	Repeal of this Act	3
<hr/> <hr/>		
Endnotes		4
1	General information	4

PARLIAMENT OF VICTORIA

Introduced in the Council by Fiona Patten

Children, Youth and Families Amendment (Out of Home Care Age) Bill 2020

A Bill for an Act to amend the **Children, Youth and Families Act 2005** to provide for the continuation of out of home care to young people up to 20 years of age.

The Parliament of Victoria enacts:

1 Purpose

The purpose of this Act is to amend the **Children, Youth and Families Act 2005** to provide for the continuation of out of home care to young people up to 20 years of age.

5

2 Commencement

This Act comes into operation on the day after the day on which it receives the Royal Assent.

3 Principal Act

In this Act, the **Children, Youth and Families Act 2005** is called the Principal Act.

4 Definitions

5 In section 3(1) of the Principal Act, for the definition of *out of home care substitute*—

"out of home care means—

- (a) care of a child by a person other than a parent of the child; or
- 10 (b) care of a young person aged 18 years or above, but under 21 years of age, by a person who is not a parent of the young person;"

5 Responsibilities of the Secretary

15 (1) In section 16(1)(e) of the Principal Act, after "care" **insert** "and young people continuing in out of home care".

(2) For section 16(1)(f) of the Principal Act **substitute**—

20 "(f) to publish and promote a Charter for children in out of home care and young people continuing in out of home care to provide a framework of principles to promote the wellbeing of those children and young
25 people;"

6 New Division 4 of Part 4.3 inserted

After Division 3 of Part 4.3 of the Principal Act
insert—

**"Division 4—Continuation of out of
home care**

180A Object of Division

The object of this Division is to provide for
the continuation of out of home care to
young people up to 20 years of age in certain
circumstances.

**180B Responsibilities of Secretary in relation to
continuing out of home care**

The Secretary has a responsibility to provide
or arrange out of home care to a young
person aged 18 years or above but under
21 years of age if the person elects to remain
in out of home care and the Secretary has
had parental responsibility for the person.

180C Continuing care agreements

The Secretary may enter into an agreement
with a young person aged 18 years or above
but under 21 years of age and a person who
provides out of home care services with
respect to the care of the young person."

7 Repeal of this Act

This Act is **repealed** on the first anniversary of
the day on which it receives the Royal Assent.

Note

The repeal of this Act does not affect the continuing operation of
the amendments made by it (see section 15(1) of the
Interpretation of Legislation Act 1984).

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.