

# Native Welfare Act 1963, Western Australia

1963 – 1972

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## Details

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The Native Welfare Act 1963 repealed Aborigines Act 1905 and all the Acts that amended the 1905 Act. Under the 1963 Act the Commissioner of Native Welfare ceased to be the guardian of Aboriginal children, but was responsible for the 'custody, maintenance and education of the children of natives'. The Native Welfare Act 1963 was repealed by the Aboriginal Affairs Planning Authority Act 1972.

The *Native Welfare Act 1963* came into effect on 1 July 1964. It repealed all legislation relating to Aboriginal matters from the *Aborigines Act 1905* through to the *Native Welfare Act Amendment Act 1960*.

The Department of Native Welfare (s.7c) retained responsibility 'to provide for the custody, maintenance and education of the children of natives' and the Governor (s.37.2d) could make regulations for those purposes, but the Commissioner of Native Welfare was no longer the guardian of these children. One of the key responsibilities of the Department (s.7f) was to assist in the 'economic and social assimilation' of 'natives', and specified that only 'natives' and specified persons were to enter or remain on reserves.

## More info

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### Chronology

- Native Welfare Act Amendment Act 1960, Western Australia (1960 - 1963)
- Native Administration Act Amendment Act 1941, Western Australia (1941 - 1963)
- Aborigines Act 1905, Western Australia (1906 - 1964)
  - **Native Welfare Act 1963, Western Australia (1963 – 1972)**
    - Aboriginal Affairs Planning Authority Act 1972, Western Australia (1972 - current)

### Related Entries

#### Related Glossary Terms

- [Commissioner of Native Welfare \(WA\) \(1954 - 1972\)](#)

The Native Welfare Act 1963 changed the powers of the Commissioner of Native Welfare; he ceased to be the legal guardian of all Aboriginal children, and became responsible for their 'care'.

#### Related Organisations

- [Department of Native Welfare, State of Western Australia \(1955 - 1972\)](#)

The Department of Native Welfare administered the *Native Welfare Act 1963*.

Date: 1963 - 1972

### Related Legislation

- [Community Welfare Act 1972, Western Australia \(1972 - 2006\)](#)

The *Community Welfare Act 1972* made the specific responsibilities to Aboriginal children outlined in *Native Welfare Act 1963* part of the broader responsibilities to all Western Australian children.

### Related Concepts

- [Aboriginal Protection in Western Australia \(c. 1832 - c. 1972\)](#)

## Resources

- McCorquodale, John, [The legal classification of race in Australia](#), Aboriginal History, 1986

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