

Aborigines Protection Act 1909, New South Wales

1909 – 1969

URL: <https://www.legislation.nsw.gov.au/view/pdf/asmade/act-1909-25>

Details

The Aborigines Protection Act 1909 (25/1909) was ‘An Act to provide for the protection and care of aborigines; to repeal the Supply of Liquors to Aborigines Prevention Act; to amend the Vagrancy Act, 1902, and the Police Offences (Amendment) Act, 1908; and for purposes consequent thereon or incidental thereto.’ It provided the Aborigines Protection Board, which had existed since 1881, with legal powers to ‘provide for the protection and care of Aborigines.’ It was the first piece of legislation that dealt specifically with Aboriginal people in New South Wales. It applied to all Aboriginal people but contained particular provisions for children, including the right of the Protection Board to remove youths from Aboriginal Reserves and place them into service. The Act was amended in 1915, 1918, 1936, 1940, 1943 and 1963. It was repealed by the Aborigines Act 1969.

The Act outlined the duties of the Protection Board, gave it the right to control Aboriginal reserves and to appoint staff. It also provided the foundation for the Board’s policies of removing youths from Aboriginal stations and setting them to work.

The new legislation gave the Board the right to apprentice ‘the child of any Aborigine, or the neglected child of any person apparently having an admixture of Aboriginal blood in his veins’, so long as the child was between the ages of 14 and 21 years of age. The *Aborigines Protection Act* stated that the Board was to act in accordance with the *Neglected Children and Juvenile Offenders Act 1905* and the *Apprentices Act 1901*, but the Board developed its own policies that were quite different to those applied to non-Aboriginal children and adults.

In stages from 1915 until 1939 the Board changed the Act to strengthen its powers to remove children and to control the movements of adults. In 1943 the Act was amended to change the name of the Aborigines Protection Board to the Aborigines Welfare Board. The Act was repealed by the *Aborigines Act 1969* which is when the Welfare Board was abolished.

More info

Chronology

- **Aborigines Protection Act 1909, New South Wales (1909 – 1969)**
 - Aborigines Act 1969, New South Wales (1969 - 1983)

Related Entries

Related Events

- [Stolen Generations Reparations Scheme, New South Wales government \(2017 - 2024\)](#)

Related Glossary Terms

- [Homefinder \(1890 - 1920s\)](#)

Related Legislation

- [Neglected Children and Juvenile Offenders Act 1905, New South Wales \(1905 - 1923\)](#)
- [Apprentices Act 1901, New South Wales \(1901 - 1969\)](#)

Is amended by

- [Aborigines Protection Amending Act 1915, New South Wales \(1915 - 1969\)](#)
- [Aborigines Protection \(Amendment\) Act 1936, New South Wales \(1936 - 1969\)](#)
- [Aborigines Protection \(Amendment\) Act 1940, New South Wales \(1940 - 1969\)](#)
- [Aborigines Protection \(Amendment\) Act 1943, New South Wales \(1943 - 1969\)](#)
- [Aborigines Protection \(Amendment\) Act 1918, New South Wales \(1918 - 1969\)](#)

Related Organisations

- [Singleton Aboriginal Children's Home \(1910 - 1920\)](#)
- [Aborigines Welfare Board, State Government of New South Wales \(1940 - 1969\)](#)
- [Warangesda Dormitory \(1893 - 1912\)](#)
- [Cootamundra Training Home \(1911 - 1969\)](#)
- [Aborigines Protection Board, State Government of New South Wales \(1883 - 1940\)](#)
- [Kinchela Training Home for Aboriginal Boys \(1923 - 1970\)](#)
- [Singleton Home \(1905 - 1910\)](#)
Children removed under the *Aborigines Protection Act* were sent to Singleton Home
- [Singleton Boys' Home \(1920 - 1923\)](#)

Amends

- [Aborigines Protection \(Amendment\) Act 1963, New South Wales \(1963 - 1969\)](#)

Resources

- Department of Justice, [History](#), Children's Court of New South Wales, 2012
- Parliamentary Counsel's Office, [NSW legislation](#), No date
- [Patrick Sephton interviewed by Ann-Mari Jordens in the Bringing them home oral history project \(2001\)](#), 2001
- Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), [To Remove and Protect](#), 2014

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