

South Australia

Children's Protection Variation Regulations 2016

under the *Children's Protection Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Children's Protection Regulations 2010*

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 6—Manner in which assessment must be undertaken
 - 6 Variation of regulation 11B—Production of prescribed evidence
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Children's Protection Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 1 July 2016.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Children's Protection Regulations 2010*

4—Variation of regulation 3—Interpretation

Regulation 3(1)—before the definition of *Act* insert:

ACC means the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth;

5—Variation of regulation 6—Manner in which assessment must be undertaken

- (1) Regulation 6(1)(a)(i)(A)—delete "a CrimTrac accredited agency or broker" and substitute:

the ACC or an ACC accredited agency or broker

- (2) Regulation 6(1a)—delete subregulation (1a) and substitute:
- (1a) For the purposes of section 8BA(3)(a) of the Act, an assessment of the relevant history of a person to whom that section applies is to be undertaken by—
 - (a) having an authorised screening unit assess the relevant history of the person; or
 - (b) obtaining a criminal history report prepared by the ACC or an ACC accredited agency or broker.
- (3) Regulation 6(1b)—after "this regulation" insert:
- (other than an assessment under subregulation (1a)(b))
- (4) Regulation 6(2), definition of *prescribed evidence*—delete "subregulation (1)(a)" and substitute:
- subregulation (1b)

6—Variation of regulation 11B—Production of prescribed evidence

Regulation 11B(2)(b)—delete paragraph (b) and substitute:

- (b) a criminal history report (such as a National Police Certificate) prepared by any of the following within the 3 years preceding the request under that subsection:
 - (i) South Australia Police;
 - (ii) CrimTrac or a CrimTrac accredited agency or broker;
 - (iii) the ACC or an ACC accredited agency or broker; or

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 30 June 2016

No 170 of 2016

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