

South Australia

## **Disability Services (Assessment of Relevant History) Variation Regulations 2016**

under the *Disability Services Act 1993*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Disability Services (Assessment of Relevant History) 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 *Disability Services (Assessment of Relevant History) Regulations 2014***

#### **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—Substitution of regulation 4**

Regulation 4—delete the regulation and substitute:

### **4—Manner in which assessment must be undertaken**

- (1) For the purposes of section 5B(1) and (2) of the Act, an assessment of a person's relevant history must be undertaken by an authorised screening unit.
- (2) For the purposes of section 5C(3)(a) of the Act, an assessment of a person's relevant history must be undertaken by—
  - (a) having an authorised screening unit assess the relevant history of the person; or
  - (b) obtaining a criminal history report (such as a National Police Certificate) prepared by the ACC or an ACC accredited agency or broker.

## **6—Variation of regulation 11—Prescribed evidence of screening**

Regulation 11(a)—delete paragraph (a) and substitute:

- (a) a criminal history report (such as a National Police Certificate) prepared by any of the following within the 3 years preceding the request:
  - (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

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