

South Australia

Children and Young People (Safety) (Transitional Provisions) Regulations 2017

under the *Children and Young People (Safety) Act 2017*

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1—Short title

These regulations may be cited as the *Children and Young People (Safety) (Transitional Provisions) Regulations 2017*.

2—Commencement

These regulations will come into operation on 26 February 2018.

3—Interpretation

In these regulations—

Act means the *Children and Young People (Safety) Act 2017*.

4—Transitional provision relating to commencement of section 59 of the Act

Pursuant to section 170(3)(c) of the Act—

- (a) a reference in section 59(1) of the Act to proceedings on an application to the Court for orders will be taken to include a reference to such proceedings under the *Children's Protection Act 1993*; and
- (b) a reference in section 59(1) of the Act to a child or young person who is, pursuant to an order of the Court, under the guardianship, or in the custody, of the Chief Executive or another person or persons will be taken to include a reference to a child or young person who is, pursuant to an order of the Court under the *Children's Protection Act 1993*, under the guardianship, or in the custody, of the Minister to whom the administration of the *Children's Protection Act 1993* is committed or another person or persons.

5—Transitional provision relating to references to approved carers

Pursuant to section 170(3)(c) of the Act, a reference in Chapter 7 Part 1 Division 4 of the Act to an approved carer will be taken to include a reference to a person who is—

- (a) an approved foster parent under section 43 of the *Family and Community Services Act 1972*; or

- (b) —
- (i) caring for a child or young person who is under the guardianship or in the custody of the Minister (whether under an order of the Court, a voluntary custody agreement under section 9 of the *Children's Protection Act 1993* or any other provision of that Act or any other Act); and
 - (ii) the subject of a provisional or initial registration by the Department, or an approval for temporary placement granted by the Department, in relation to the care of children.

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 19 December 2017

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