

South Australia

# **Children and Young People (Safety) (Exemption from Psychological Assessment) Variation Regulations 2021**

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

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Children and Young People (Safety) (Exemption from Psychological Assessment) Variation Regulations 2021*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **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 and Young People (Safety) Regulations 2017*

### 4—Insertion of regulation 31A

After regulation 31 insert:

#### **31A—Exemption from requirement to be assessed before employment in licensed children's residential facility**

- (1) Pursuant to section 170(2)(a) of the Act, the following persons and classes of persons are exempt from the operation of section 107(1) of the Act:
  - (a) a public sector employee within the meaning of the *Public Sector Act 2009* (not being a person who is a prohibited person under the *Child Safety (Prohibited Persons) Act 2016*);
  - (b) any other person, or class of persons, determined by the Chief Executive by written instrument to be included in the ambit of this paragraph.
- (2) This regulation expires 12 months after the day on which it comes into operation.

### 5—Insertion of regulation 34A

After regulation 34 insert:

#### **34A—Exemption from requirement to be assessed before employment in certain residential facilities**

- (1) Pursuant to section 170(2)(a) of the Act, the following persons and classes of persons are exempt from the operation of section 110A(1) of the Act:
  - (a) a public sector employee within the meaning of the *Public Sector Act 2009* (not being a person who is a prohibited person under the *Child Safety (Prohibited Persons) Act 2016*);
  - (b) any other person, or class of persons, determined by the Chief Executive by written instrument to be included in the ambit of this paragraph.
- (2) This regulation expires 12 months after the day on which it comes into operation.

#### **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.

**Children and Young People (Safety) (Exemption from Psychological Assessment) Variation  
Regulations 2021**

Variation of *Children and Young People (Safety) Regulations 2017*—Part 2

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**Made by the Administrator**

with the advice and consent of the Executive Council  
on 30 September 2021

No 145 of 2021