

South Australia

Children and Young People (Safety) Variation Regulations 2021

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

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Variation of regulation 34A—Exemption from requirement to be assessed before employment in certain residential facilities
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Children and Young People (Safety) 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—Variation of regulation 34A—Exemption from requirement to be assessed before employment in certain residential facilities

(1) Regulation 34A—after subregulation (1) insert:

(1a) The following provisions apply in relation to an exemption contemplated by subregulation (1)(b):

- (a) the Chief Executive may only grant an exemption under that paragraph if the Chief Executive is satisfied that it is reasonably necessary to do so to ensure continuity of care for children and young people;

- (b) the Chief Executive must review each exemption granted under that paragraph at least once in each 6 week period and must, if of the opinion that it is no longer reasonably necessary that the exemption continue to ensure continuity of care for children and young people, revoke the exemption;
 - (c) the Chief Executive must cause sufficient records of each exemption granted under that paragraph, and each review of an exemption, to be kept to enable the Chief Executive to give effect to paragraph (b).
- (2) Regulation 34A(2)—delete "it" and substitute:

subregulation (1)

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 16 December 2021

No 188 of 2021