



New South Wales

Child Protection (Offenders Registration) Amendment Regulation 2009

under the

Child Protection (Offenders Registration) Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Child Protection (Offenders Registration) Act 2000*.

ANTHONY KELLY, MLC
Minister for Police

Explanatory note

The objects of this Regulation are:

- (a) to exclude certain offenders who are subject to reporting requirements under the laws of other jurisdictions because of offences committed against adults from being subject to the child protection reporting requirements under the *Child Protection (Offenders Registration) Act 2000*, and
- (b) to require a person whose reporting obligations recommence under that Act because a child protection prohibition order is made against the person to report certain personal information to the Commissioner of Police within 7 days (rather than the existing period of 28 days).

This Regulation is made under the *Child Protection (Offenders Registration) Act 2000*, including sections 3C, 20A and 22 (the general regulation-making power).

2009 No 144

Clause 1 Child Protection (Offenders Registration) Amendment Regulation 2009

Child Protection (Offenders Registration) Amendment Regulation 2009

under the

Child Protection (Offenders Registration) Act 2000

1 Name of Regulation

This Regulation is the *Child Protection (Offenders Registration) Amendment Regulation 2009*.

2 Commencement

This Regulation takes effect on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Child Protection (Offenders Registration) Regulation 2001

[1] **Clause 5B**

Omit the clause. Insert instead:

5B Corresponding registrable persons

For the purposes of section 3C (4) of the Act, the following classes of persons are excluded from being corresponding registrable persons for the purposes of the Act:

- (a) any person who is a *reportable offender* within the meaning of the *Community Protection (Offender Reporting) Act 2004* of Western Australia because the person has been sentenced by a court for a class 3 offence within the meaning of that Act and who, but for that offence, would not be a reportable offender under that Act,
- (b) any person who is a *registrable offender* within the meaning of the *Sex Offenders Registration Act 2004* of Victoria because the person has been sentenced by a court for a class 3 or class 4 offence within the meaning of that Act and who, but for that offence, would not be a registrable offender under that Act.

[2] **Clause 18A**

Insert after clause 18:

18A Time for notification when reporting obligations are recommenced

- (1) For the purposes of section 20A (3) of the Act, the period of 7 days after the child protection prohibition order is made is prescribed.
- (2) This clause applies in respect of a child protection prohibition order made on or after the commencement of this clause.