



New South Wales

# Children and Young Persons (Care and Protection) Amendment (Alternative Reporting Arrangements) Regulation 2012

under the

Children and Young Persons (Care and Protection) Act 1998

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Children and Young Persons (Care and Protection) Act 1998*.

PRU GOWARD, MP  
Minister for Family and Community Services

## Explanatory note

The object of this Regulation is to extend the operation of section 27A of the *Children and Young Persons (Care and Protection) Act 1998*, which provides alternative reporting arrangements by a member of staff of certain agencies to assessment officers of the agencies rather than directly to the Director-General of the Department of Family and Community Services. Those reports relate to children who are at risk of significant harm. The section is extended:

- (a) to employees of, or persons engaged by, organisations that are eligible to be members of the Aboriginal Health and Medical Research Council of NSW, and
- (b) to employees of, or persons engaged by, affiliated health organisations (within the meaning of the *Health Services Act 1997*), and
- (c) for a trial period of 12 months only, to general practitioners and general practice nurses in certain local government areas.

In each case, the employee, contractor, general practitioner or general practice nurse may report to an assessment officer of the NSW Health Service instead of the Director-General of the Department of Family and Community Services.

This Regulation is made under the *Children and Young Persons (Care and Protection) Act 1998*, including sections 27A and 264 (the general regulation-making power).

**2012 No 126**

Clause 1 Children and Young Persons (Care and Protection) Amendment (Alternative Reporting Arrangements) Regulation 2012

---

**Children and Young Persons (Care and Protection)  
Amendment (Alternative Reporting Arrangements)  
Regulation 2012**

under the

Children and Young Persons (Care and Protection) Act 1998

**1 Name of Regulation**

This Regulation is the *Children and Young Persons (Care and Protection) Amendment (Alternative Reporting Arrangements) Regulation 2012*.

**2 Commencement**

This Regulation commences on 30 March 2012.

---

## Schedule 1      Amendment of Children and Young Persons (Care and Protection) Regulation 2000

### Clauses 10A–10C

Omit clause 10A. Insert instead:

- 10A      Extension of alternative reporting arrangements to employees and contractors of relevant Aboriginal organisations**
- (1) The operation of section 27A of the Act is extended to employees of, or persons engaged by, any organisation that is, or is eligible to become, an ordinary member or associate member of the Aboriginal Health and Medical Research Council of NSW (a *relevant Aboriginal organisation*) and who are not employed in or engaged by the NSW Health Service.
  - (2) For that purpose:
    - (a) a reference in section 27A of the Act to a staff member is taken to include a reference to an employee of, or person engaged by, a relevant Aboriginal organisation, and
    - (b) the NSW Health Service is taken to be the relevant agency under section 27A of the Act in relation to any employee of, or person engaged by, a relevant Aboriginal organisation.
- 10B      Extension of alternative reporting arrangements to employees or contractors of affiliated health organisations**
- (1) The operation of section 27A of the Act is extended to employees of, or persons engaged by, affiliated health organisations and who are not employed in or engaged by the NSW Health Service.
  - (2) For that purpose:
    - (a) a reference in section 27A of the Act to a staff member is taken to include a reference to an employee of, or person engaged by, an affiliated health organisation, and
    - (b) the NSW Health Service is taken to be the relevant agency under section 27A of the Act in relation to any employee of, or person engaged by, an affiliated health organisation.
  - (3) In this clause:

*affiliated health organisation* has the same meaning as in the *Health Services Act 1997*.

## 2012 No 126

Children and Young Persons (Care and Protection) Amendment (Alternative Reporting Arrangements) Regulation 2012

Schedule 1

Amendment of Children and Young Persons (Care and Protection) Regulation 2000

---

### 10C Temporary extension of alternative reporting arrangements to certain general practitioners and general practice nurses

- (1) The operation of section 27A of the Act is extended to general practitioners, and general practice nurses, who practise in a designated area and who are not employed in or engaged by the NSW Health Service.
- (2) For that purpose:
  - (a) a reference in section 27A of the Act to a staff member is taken to include a reference to such a general practitioner or general practice nurse, and
  - (b) the NSW Health Service is taken to be the relevant agency under section 27A of the Act in relation to any such general practitioner or general practice nurse.
- (3) In this clause:

**designated area** means the local government area of Blayney, Bogan, Bourke, Brewarrina, Cessnock City, Cobar, Coonamble, Cowra, Dubbo City, Dungog, Forbes, Gilgandra, Gloucester, Gosford City, Lachlan, Lake Macquarie City, Maitland City, Mid-Western Regional, Muswellbrook, Narromine, Newcastle City, Orange City, Parkes, Port Stephens, Singleton, Upper Hunter Shire, Walgett, Warren, Warrumbungle Shire, Wellington or Wyong.

**general practice nurse** means a nurse who is employed or engaged to work in the medical practice of a general practitioner (whether or not the nurse is employed by the medical practice).

**general practitioner** means a registered medical practitioner who has qualifications in general practice recognised by the Royal Australian College of General Practitioners and who practises as a general practitioner.
- (4) This clause is repealed at the beginning of 31 March 2013.