



New South Wales

Children and Young Persons (Care and Protection) Amendment (Private Health Facility Staff) Regulation 2019

under the

Children and Young Persons (Care and Protection) Act 1998

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

GARETH WARD, MP
Minister for Families, Communities and Disability Services

Explanatory note

The object of this Regulation is to amend the *Children and Young Persons (Care and Protection) Regulation 2012* to enable employees of, and persons engaged by, private health facilities (who provide services to the public on behalf of a statutory health organisation or the Ministry of Health) to report to an assessment officer of the NSW Health Service when they have reasonable grounds to suspect that a child is at risk of significant harm.

This Regulation is made under the *Children and Young Persons (Care and Protection) Act 1998*, including sections 27A(10) and 264 (the general regulation-making power).

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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 (Private Health Facility Staff) Regulation 2019*.

2 Commencement

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

3 Amendment of Children and Young Persons (Care and Protection) Regulation 2012

Clause 19

Insert after clause 18—

19 Extension of alternative reporting arrangements to employees or contractors of private health facilities

- (1) The operation of section 27A of the Act is extended to employees of, or persons engaged by, private health facilities, who provide services to the public on behalf of a statutory health organisation or the Ministry of Health.
- (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 private health facility referred to in subclause (1), 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 private health facility referred to in subclause (1).
- (3) In this clause—

private health facility has the same meaning as in the *Private Health Facilities Act 2007*.

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