



New South Wales

Child Protection (Working with Children) Amendment (Assessment Requirement Triggers and Reporting Bodies) Regulation 2020

under the

Child Protection (Working with Children) Act 2012

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Child Protection (Working with Children) Act 2012*.

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

Explanatory note

The objects of this Regulation are to make amendments, consequent on the commencement of the *Children's Guardian Act 2019*, to clause 25 of the *Child Protection (Working with Children) Regulation 2013* prescribing the Scout Association of Australia, New South Wales Branch as an additional reporting body and Schedule 1 of the *Child Protection (Working with Children) Act 2012* to trigger a risk assessment—

- (a) if a person has been the subject of a finding by a relevant entity within the meaning of Part 4 of the *Children's Guardian Act 2019*, and
- (b) if a person has been the subject of a finding by a particular body in relation to a sexual offence committed against, with or in the presence of a child, and
- (c) if information has been referred in accordance with section 56(2) of the *Children's Guardian Act 2019*.

This Regulation is made under the *Child Protection (Working with Children) Act 2012*, including sections 35(4) (paragraph (e) of the definition of **reporting body**) and 52 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Child Protection (Working with Children) Amendment (Assessment Requirement Triggers and Reporting Bodies) Regulation 2020*.

2 Commencement

- (1) Subject to subclause (2), this Regulation commences on 1 March 2020.
- (2) Clause 3 commences immediately after the commencement of Schedule 5.7[2] to the *Children's Guardian Act 2019*.

3 Amendment of Child Protection (Working with Children) Regulation 2013

Clause 25

Omit clause 25. Insert instead—

25 Additional reporting body

For the purposes of paragraph (e) of the definition of *reporting body* in section 35(4) of the Act, the Scout Association of Australia, New South Wales Branch is prescribed.

Schedule 1 Amendment of Child Protection (Working with Children) Act 2012 No 51

[1] Schedule 1 Assessment requirement triggers

Insert “, or by a relevant entity within the meaning of Part 4 of the *Children’s Guardian Act 2019*,” after “reporting body” in clause 2.

[2] Schedule 1, clause 2(aa)

Insert before clause 2(a)—

(aa) a sexual offence committed against, with or in the presence of a child,

[3] Schedule 1, clause 2A

Omit the clause. Insert instead—

2A Notification in relation to reportable conduct matter

Information about a person has been referred, in accordance with section 56(2) of the *Children’s Guardian Act 2019*, for the purpose of considering an interim bar during the course of an investigation under Part 4 of that Act.