



New South Wales

Child Protection (Prohibited Employment) Regulation 2004

under the

Child Protection (Prohibited Employment) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Child Protection (Prohibited Employment) Act 1998*.

CARMEL TEBBUTT, M.L.C.,

Minister for Youth

Explanatory note

The *Child Protection (Prohibited Employment) Act 1998* prohibits the employment of prohibited persons (being persons who have been convicted of a serious sex offence) in child-related employment. The Act defines **child-related employment** to mean (amongst other things) employment involving fostering or other child care. The aim of this Regulation is to make it clear that the provision of foster care or out-of-home care constitutes **employment** for the purposes of the Act.

This Regulation deals with matters of a machinery nature.

This Regulation is made under the *Child Protection (Prohibited Employment) Act 1998*, including the definition of **employment** in section 3 of the Act and section 15 (the general regulation-making power).

2004 No 242

Clause 1 Child Protection (Prohibited Employment) Regulation 2004

Child Protection (Prohibited Employment) Regulation 2004

under the

Child Protection (Prohibited Employment) Act 1998

1 Name of Regulation

This Regulation is the *Child Protection (Prohibited Employment) Regulation 2004*.

2 Definition

In this Regulation:

the Act means the *Child Protection (Prohibited Employment) Act 1998*.

3 Employment

- (1) For the purposes of the definition of **employment** in section 3 of the Act, the performance of the duties of an authorised carer constitutes employment.
- (2) In this clause, **authorised carer** has the meaning given by the *Children and Young Persons (Care and Protection) Act 1998*.

BY AUTHORITY