

Australian Capital Territory

Working with Vulnerable People (Background Checking) Amendment Regulation 2020 (No 1)

Subordinate Law SL2020-18

The Australian Capital Territory Executive makes the following regulation under the [Working with Vulnerable People (Background Checking) Act 2011](http://www.legislation.act.gov.au/a/2011-44).

Dated 30 April 2020.

Suzanne Orr

Minister

Rachel Stephen-Smith

Minister



Australian Capital Territory

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[Working with Vulnerable People (Background Checking) Act 2011](http://www.legislation.act.gov.au/a/2011-44" \o "A2011-44)

1 Name of regulation

This regulation is the *Working with Vulnerable People (Background Checking) Amendment Regulation 2020 (No 1)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This regulation amends the [Working with Vulnerable People (Background Checking) Regulation 2012](http://www.legislation.act.gov.au/sl/2012-4).

4 New section 4A

insert

4A People not required to be registered—Act, s 12 (2) (o)

(1) The following people are prescribed in the circumstances mentioned in subsection (2) (the relevant circumstances):

(a) a member of the Australian Defence Force within the meaning of the [Defence Act 1903](https://www.legislation.gov.au/Series/C1903A00020) (Cwlth), section 4 (1);

(b) a public employee;

Note Public employee means a public servant, a public sector member or a person employed by a territory instrumentality (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), dict, pt 1).

(c) a person who is the equivalent of a public employee in the Commonwealth or a State.

Note State includes the Northern Territory (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), dict, pt 1).

(2) The relevant circumstances are that—

(a) the person is engaging in a regulated activity on behalf of the Territory; and

(b) the regulated activity is undertaken for a purpose related to a COVID-19 emergency, whether undertaken during the emergency or after the emergency ends.

(3) In this section:

COVID-19 emergency means—

(a) a state of emergency declared under the [Emergencies Act 2004](http://www.legislation.act.gov.au/a/2004-28), section 156 because of the coronavirus disease 2019 (COVID‑19); or

(b) an emergency declared under the [Public Health Act 1997](http://www.legislation.act.gov.au/a/1997-69), section 119 (including any extension or further extension) because of the coronavirus disease 2019 (COVID-19).

(4) This section expires 12 months after the day it commences.

Endnotes

1 Notification

Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 5 May 2020.

2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au/).

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