Australian Capital Territory

Official Visitor (Children and Young People Services) Visit and Complaint Guidelines 2019 (No 1)

**Disallowable Instrument DI2019–147**

made under the

*Official Visitor Act 2012,* section 23 (visit and complaint guidelines)

**EXPLANATORY STATEMENT**

Section 23 (1) of the *Official Visitor Act 2012,* allows the Minister, after consulting the operational Minister for an operational Act, to make guidelines about -

(1) (a) visits by an official visitor for the operational Act; and

(b) the handling of complaints, and referral of complaints to investigative entities, by an official visitor for the operational Act.

(2) The guidelines must include a schedule that sets out—

(a) each visitable place that an official visitor must visit; and

(b) how often the official visitor must visit the place.

(3) A guideline is a disallowable instrument.

The *Official Visitor Act 2012,* sets out the functions of official visitors which includes visiting visitable places, handling complaints from entitled people and reporting on those matters. Part 2.3 section 37 of the *Children and Young People Act 2008,* defines what is an entitled person and a visitable place for the [*Official*](http://www.legislation.act.gov.au/a/2012-33/default.asp) *Visitor Act.* This part also prescribes other matters for the [*Official Visitor Act*](http://www.legislation.act.gov.au/a/2012-33/default.asp).

This Instrument is necessary to provide guidance for the appointees with statutory authority to perform the duties of the Children and Young People Official Visitor under the *Children and Young People Act 2008*.

The guidelines have been updated to reflect an increase in the number of visitable places (places of care (residential)) from 24 to 28.