

# Working with Vulnerable People (Background Checking) Declaration 2025 (No 1)

## Disallowable instrument DI2025–271

made under the

**Working with Vulnerable People (Background Checking) Act 2011, section 12 (When is a person required to be registered?)**

## EXPLANATORY STATEMENT

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Boccia has been a Paralympic sport since the 1984. Boccia is played by athletes with a significant physical impairment affecting all four limbs. Boccia Australia is the national governing body for Boccia.

The 2025 World Boccia Challenger (the Challenger) will be conducted at the Australian Institute of Sport in Canberra from 2 to 12 November 2025. 50-70 athletes from more than 10 countries, including a small number of children, will participate in the Challenger.

The *Working with Vulnerable People (Background Checking) Declaration 2025 (No 1)* (the Declaration) exempts international visitors from registration under the Working with Vulnerable People (WWVP) scheme, while engaged in a ‘regulated activity’ for a purpose related to the Challenger in the period 2 to 12 November 2025 which includes pre-competition activities and the competition. The definition of a ‘regulated activity’ is prescribed by section 8 of the *Working with Vulnerable People (Background Checking) Act 2011*.

The Declaration must be notified on the Legislation Register and presented to the Legislative Assembly within six (6) sitting days under the *Legislation Act 2001*.

### **Human rights implications**

During the development of this Instrument, due regard was given to its effect in relation to the compatibility with human rights as set out in the *Human Rights Act 2004* (HRA).

The Declaration engages the right to liberty and security of person (section 18 of the HRA) in relation to vulnerable people accessing regulated activities regarding their vulnerability.

The Declaration engages this right because the Commissioner for Fair Trading (the Commissioner) will engage in a higher level of risk by exempting international visitors.

The Declaration does not limit this right because international teams and support personnel are subject to other regulatory obligations, including conditions of entry to Australia and the framework for safeguarding vulnerable people which applies to all activities organised or authorised by Boccia Australia. Exempt individuals are also limited to engaging in a regulated activity for a purpose related to the Challenger.

The Commissioner maintains the power to revoke the exemption in relation to any person, where the individual is subsequently assessed as an unacceptable risk of harm to vulnerable people. This reduces the risk of potential harm to vulnerable people and protects the rights and dignity of vulnerable people by limiting their exposure to people who pose a risk to their safety, welfare and wellbeing.

The Declaration expires on 13 November 2025.