



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*.

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](#)

1	Name of regulation
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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](#), s 75 (1)).

3 Legislation amended

This regulation amends the [Working with Vulnerable People \(Background Checking\) Regulation 2012](#).

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](#) (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](#), 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](#), 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*, section 156 because of the coronavirus disease 2019 (COVID-19); or
 - (b) an emergency declared under the *Public Health Act 1997*, 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](#) on 5 May 2020.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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