

Australian Capital Territory

Working with Vulnerable People (Background Checking) Amendment Regulation 2021 (No 1)

Subordinate Law SL2021-22

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 21 September 2021.

Andrew Barr

Chief Minister

Rachel Stephen-Smith

Minister



Australian Capital Territory

Working with Vulnerable People (Background Checking) Amendment Regulation 2021 (No 1)

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made under the

[Working with Vulnerable People (Background Checking) Act 2011](http://www.legislation.act.gov.au/a/2011-44%22%20%5Co%20%22A2011-44)

1 Name of regulation

This regulation is the *Working with Vulnerable People (Background Checking) Amendment Regulation 2021 (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 on the day the [COVID-19 Emergency Response Act 2020](http://www.legislation.act.gov.au/a/2020-11) expires.

Endnotes

1 Notification

 Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 22 September 2021.

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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