

2018

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

Ombudsman Amendment Bill 2018

A Bill for

An Act to amend the *Ombudsman Act 1989*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Ombudsman Amendment Act 2018*.

3 **2 Commencement**

4 This Act commences on 1 July 2018.

5 *Note* The naming and commencement provisions automatically commence on
6 the notification day (see [Legislation Act](#), s 75 (1)).

7 **3 Legislation amended**

8 This Act amends the *Ombudsman Act 1989*.

9 **4 Definitions—div 2.2A**
10 **Section 17D, definition of *employee*, new paragraph (aa)**

11 *insert*

- 12 (aa) for a designated entity that is a religious body—means—
- 13 (i) a minister of religion, a religious leader or an officer of
14 the religious body; or
 - 15 (ii) a person who is engaged under a contract of employment
16 with the religious body; or
 - 17 (iii) a person who is engaged by the religious body to provide
18 services (other than under a contract of employment)
19 whether or not the services are provided to children; and

20 **5 Section 17D, definition of *head*, paragraph (b) (ii)**

21 *substitute*

- 22 (ii) in any other case—the individual primarily in charge of
23 the management of the entity.

1 **6 Meaning of *designated entity*—div 2.2A**
2 **Section 17EA (1) (a), new paragraph (a) (viia)**

3 *insert*

4 (viia) a religious body not otherwise included in this paragraph;

5 **7 Section 17EA (2), new definition of *religious body***

6 *insert*

7 ***religious body*** means a body—

- 8 (a) established or operated for a religious purpose, that operates
9 under the auspices of 1 or more religious denominations or
10 faiths; and
11 (b) that provides, or has provided, activities, facilities, programs or
12 services that provide a means for people to have contact with
13 children.

14 **Examples—activities, facilities, programs or services**

- 15 • religious services
16 • altar serving
17 • art groups
18 • bible study groups
19 • choirs and music groups
20 • church-run crèches
21 • dance groups
22 • faith-based children's and youth groups
23 • multi-faith networks
24 • open days
25 • prayer groups
26 • religious community engagement and outreach
27 • religious festivals and celebrations
28 • sports teams
29 • Sunday school

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 10 May 2018.

2 Notification

Notified under the [Legislation Act](#) on 2018.

3 Republications of amended laws

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

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