



New South Wales

Child Protection (Working with Children) Amendment Bill 2022

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

This Bill is cognate with the *Children's Guardian Amendment Bill 2022*.

Overview of Bill

The object of this Bill is to amend the *Child Protection (Working with Children) Act 2012* (the *principal Act*) as follows—

- (a) to implement National Standard 11 of the *National Standards for Working with Children Checks* endorsed by the Council of Australian Governments on 12 November 2019 by requiring applicants for working with children check clearances and other prescribed persons to disclose their international criminal history,
- (b) to provide for the changes in circumstances that entitle a person to make an early further application for a clearance following a refusal of an application for, or cancellation of, a clearance,
- (c) to provide further grounds on which the Children's Guardian may terminate an application for a clearance,
- (d) to make it clear the offence of common assault of a child operates to trigger a risk assessment of an applicant for, or holder of, a clearance only if committed by an adult,
- (e) to provide that the notification of information about a negative notice by another jurisdiction triggers a risk assessment of an applicant for, or holder of, a clearance,
- (f) to include certain former offences as disqualifying offences under the Act,
- (g) to enable certain clearance information to be exchanged with other jurisdictions,
- (h) to require the Children's Guardian to record certain information on the database known as the National Reference System.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Child Protection (Working with Children) Act 2012 No 51

Schedule 1 gives effect to the object of the Bill.