



Australian Capital Territory

Human Rights Commission (Child Safe Standards) Amendment Act 2024

A2024-22

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Australian Capital Territory

Human Rights Commission (Child Safe Standards) Amendment Act 2024

A2024-22

An Act to amend the *Human Rights Commission Act 2005* and the *Human Rights Commission Regulation 2023*, and for other purposes

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

Part 1 Preliminary

1 Name of Act

This Act is the *Human Rights Commission (Child Safe Standards) Amendment Act 2024*.

2 Commencement

This Act commences on the later of—

- (a) 1 August 2024; and
- (b) 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 Act amends the [Human Rights Commission Act 2005](#) and the [Human Rights Commission Regulation 2023](#).

Note This Act also amends the [Education Regulation 2005](#) (see sch 1).

Part 2

Human Rights Commission Act 2005

4 Main objects of Act New section 6 (2) (fa)

insert

- (fa) promote environments that are safe for children and young people by—
- (i) promoting the child safe standards prescribed under section 94V; and
 - (ii) encouraging providers of services for children and young people to uphold the standards; and

5 Children and young people commissioner's functions New section 19B (1) (aa)

insert

- (aa) to promote the implementation of the child safe standards by providers of services for children and young people, and encourage providers to uphold the standards;

6 When may someone complain about a service for children and young people? New section 40A (b) (ia)

insert

- (ia) the child safe standards prescribed under section 94V;

7 New part 5A*insert***Part 5A Child safe standards****94V Child safe standards**

A regulation may prescribe standards (the *child safe standards*) in relation to the provision of a service by providers of services for children and young people.

94W Implementing child safe standards

A provider of a service for children and young people must implement the child safe standards.

94X Review of child safe standards

- (1) The Minister must review the operation of this part as soon as practicable after the end of its 5th year of operation.
- (2) The Minister must present a report of the review to the Legislative Assembly within 12 months after the day the review is started.
- (3) This section expires 7 years after the day it commences.

8 Dictionary, new definition of *child safe standards**insert*

child safe standards—see section 94V.

Part 3 Human Rights Commission Regulation 2023

9 New part 3

insert

Part 3 Child safe standards

25 Child safe standards—Act, s 94V

The following standards are prescribed:

- (a) child safety and wellbeing is embedded in organisational leadership, governance and culture;
- (b) children and young people are informed about their rights, participate in decisions affecting them and are taken seriously;
- (c) families and communities are informed and involved in promoting child safety and wellbeing;
- (d) equity is upheld and diverse needs are respected in policy and practice;
- (e) people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice;
- (f) processes to respond to complaints and concerns are child focused;
- (g) staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training;

- (h) physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed;
- (i) an organisation's implementation of the child safe standards is regularly reviewed and improved;
- (j) an organisation's policies and procedures document how the organisation is safe for children and young people.

10 Dictionary, note 2

insert

- child safe standards

Schedule 1 Education Regulation 2005— Consequential amendment

(see s 3)

[1.1] Schedule 2, section 2.15 and note

substitute

2.15 Child safe standards

The proprietor of a registered school must ensure that the school complies with the child safe standards under the [Human Rights Commission Act 2005](#), part 5A.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 19 March 2024.

2 Notification

Notified under the [Legislation Act](#) on 24 May 2024.

3 Republications of amended laws

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

I certify that the above is a true copy of the Human Rights Commission (Child Safe Standards) Amendment Bill 2024, which was passed by the Legislative Assembly on 15 May 2024.

Clerk of the Legislative Assembly

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