

2024

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Children, Youth and Family Services)

# Human Rights Commission (Child Safe Standards) Amendment Bill 2024

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# Human Rights Commission (Child Safe Standards) Amendment Bill 2024

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## A Bill for

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

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

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

5 **2 Commencement**

6 This Act commences on the later of—

7 (a) 1 August 2024; and

8 (b) the day after its notification day.

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

11 **3 Legislation amended**

12 This Act amends the *Human Rights Commission Act 2005* and the  
13 *Human Rights Commission Regulation 2023*.

14 *Note* This Act also amends the *Education Regulation 2005* (see sch 1).

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1 **Part 2** **Human Rights Commission**  
2 **Act 2005**

3 **4 Main objects of Act**  
4 **New section 6 (2) (fa)**

5 *insert*

6 (fa) promote environments that are safe for children and young  
7 people by—

8 (i) promoting the child safe standards prescribed under  
9 section 94V; and

10 (ii) encouraging providers of services for children and young  
11 people to uphold the standards; and

12 **5 Children and young people commissioner's functions**  
13 **New section 19B (1) (aa)**

14 *insert*

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

18 **6 When may someone complain about a service for**  
19 **children and young people?**  
20 **New section 40A (b) (ia)**

21 *insert*

22 (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.

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1 **Part 3** **Human Rights Commission**  
2 **Regulation 2023**

3 **9** **New part 3**

4 *insert*

5 **Part 3** **Child safe standards**

6 **25** **Child safe standards—Act, s 94V**

7 The following standards are prescribed:

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

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

8 **10 Dictionary, note 2**

9 *insert*

- 10 • child safe standards



1 **Schedule 1**            **Education Regulation 2005—**  
2                                    **Consequential amendment**

3 (see s 3)

4 **[1.1]            Schedule 2, section 2.15 and note**

5                    *substitute*

6 **2.15            Child safe standards**

7                    The proprietor of a registered school must ensure that the school  
8                    complies with the child safe standards under the *Human Rights*  
9                    *Commission Act 2005*, part 5A.

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**Endnotes**

**1            Presentation speech**

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

**2            Notification**

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

**3            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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