



Australian Capital Territory

Children and Young People Regulation 2009

SL2009-37

made under the

Children and Young People Act 2008

Republication No 3

Effective: 15 December 2022 – 26 March 2024

Republication date: 15 December 2022

Last amendment made by [A2022-25](#)

About this republication

The republished law

This is a republication of the *Children and Young People Regulation 2009*, made under the *Children and Young People Act 2008* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 15 December 2022. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 15 December 2022.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



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R3
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Australian Capital Territory

Children and Young People Regulation 2009

made under the

Children and Young People Act 2008

1 Name of regulation

This regulation is the *Children and Young People Regulation 2009*.

3 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

3AA Register of searches and uses of force—details in relation to search—Act, s 195 (2) (h)

The register must state in relation to each search if the young detainee is an Aboriginal or Torres Strait Islander person.

3AB Register of searches and uses of force—inspection—Act, s 195 (5) (g)

The Aboriginal and Torres Strait Islander children and young people commissioner is prescribed.

3AC Therapeutic protection register—who may have access—Act, s 634 (1) (h)

The Aboriginal and Torres Strait Islander children and young people commissioner is prescribed.

3A Meaning of *care and protection purpose*—Act, s 352B, def *care and protection purpose*, par (a) (ii)

The following purposes are prescribed as care and protection purposes:

- (a) to provide placement prevention, reunification and supported contact services in a—
 - (i) home or community setting; or
 - (ii) residential setting;

- (b) to provide clinical services;
- (c) to provide engagement, empowerment and advocacy services;
- (d) to provide transition to adulthood services.

4 Meaning of *light work*—Act, s 793 (b)

Note 1 The Act, s 793 defines *light work* to mean work that—

- (a) is not contrary to the best interests of a child or young person; and
- (b) is declared by regulation to be light work.

Note 2 For the meaning of employment *contrary to the best interests of a child or young person*—see the Act, s 782.

- (1) Work is *light work* if it is work undertaken by a child or young person that is—
 - (a) suitable for the physical, emotional and developmental capacity of the child or young person; and
 - (b) adequately supervised; and
 - (c) done under conditions where appropriate work safety standards to protect the child or young person from exposure to hazards or potential hazards are in place.

- (2) In this section:

adequately supervised means—

- (a) for a child 3 years of age or younger—supervision by a parent or guardian at all times; and
- (b) for a child more than 3 years of age but under 12 years of age—
 - (i) supervision by a parent or guardian; or
 - (ii) supervision by a responsible adult approved by a parent or guardian; and

(c) for a young person—supervision by a responsible adult.

Examples—light work

- going on errands
- casual work in or around a private home
- work related to sporting activities such as being an umpire, referee, golf-caddy or court attendant
- clerical work
- work as a cashier
- gardening
- taking care of children in or around a private home
- providing entertainment at a place used for providing entertainment or amusement or at sporting activities
- singing, dancing or playing a musical instrument
- performing in a radio, television or film program or production
- modelling
- a photographic subject, whether still or moving

Dictionary

Note Terms used in this regulation have the same meaning that they have in the *Children and Young People Act 2008*. For example, the following terms are defined in the *Children and Young People Act 2008*, dict:

- Aboriginal and Torres Strait Islander children and young people commissioner
- Aboriginal or Torres Strait Islander person.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

Children and Young People Regulation 2009 SL2009-37

notified LR 16 July 2009

s 1, s 2 commenced 16 July 2009 (LA s 75 (1))

remainder commenced 17 July 2009 (s 2 and see [Children and Young People Act 2008](#) A2008-19 s 2)

as amended by

[Children and Young People Amendment Regulation 2015 \(No 1\)](#) SL2015-32

notified LR 14 October 2015

s 1, s 2 commenced 14 October 2015 (LA s 75 (1))

remainder commenced 15 October 2015 (s 2)

[Aboriginal and Torres Strait Islander Children and Young People Commissioner Act 2022](#) A2022-25 sch 1 pt 1.2

notified LR 14 December 2022

s 1, s 2 commenced 14 December 2022 (LA s 75 (1))

sch 1 pt 1.2 commenced 15 December 2022 (s 2)

Endnotes

4 Amendment history

4 Amendment history

Commencement

s 2 om LA s 89 (4)

Register of searches and uses of force—details in relation to search—Act, s 195 (2) (h)

s 3AA ins [A2022-25](#) amdt 1.61

Register of searches and uses of force—inspection—Act, s 195 (5) (g)

s 3AB ins [A2022-25](#) amdt 1.61

Therapeutic protection register—who may have access—Act, s 634 (1) (h)

s 3AC ins [A2022-25](#) amdt 1.61

Meaning of *care and protection purpose*—Act, s 352B, def *care and protection purpose*, par (a) (ii)

s 3A ins [SL2015-32](#) s 4

Dictionary

dict ins [A2022-25](#) amdt 1.62

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 17 July 2009	17 July 2009– 14 Oct 2015	not amended	new regulation
R2 15 Oct 2015	15 Oct 2015– 14 Dec 2022	SL2015-32	amendments by SL2015-32

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