



Australian Capital Territory

# **Working with Vulnerable People (Background Checking) Amendment Regulation 2021 (No 1)**

**Subordinate Law SL2021-22**

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The Australian Capital Territory Executive makes the following regulation under the *Working with Vulnerable People (Background Checking) Act 2011*.

Dated 21 September 2021.

ANDREW BARR  
Chief Minister

RACHEL STEPHEN-SMITH  
Minister

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# Working with Vulnerable People (Background Checking) Amendment Regulation 2021 (No 1)

Subordinate Law SL2021-22

made under the

[Working with Vulnerable People \(Background Checking\) Act 2011](#)

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## 1 Name of regulation

This regulation is the *Working with Vulnerable People (Background Checking) Amendment Regulation 2021 (No 1)*.

## 2 Commencement

This regulation commences on 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 regulation amends the *Working with Vulnerable People (Background Checking) Regulation 2012*.

### 4 New section 4A

*insert*

#### 4A People not required to be registered—Act, s 12 (2) (o)

(1) The following people are prescribed in the circumstances mentioned in subsection (2) (the *relevant circumstances*):

- (a) a member of the Australian Defence Force within the meaning of the *Defence Act 1903* (Cwlth), section 4 (1);
- (b) a public employee;

*Note* **Public employee** means a public servant, a public sector member or a person employed by a territory instrumentality (see [Legislation Act](#), dict, pt 1).

- (c) a person who is the equivalent of a public employee in the Commonwealth or a State.

*Note* **State** includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

(2) The relevant circumstances are that—

- (a) the person is engaging in a regulated activity on behalf of the Territory; and
- (b) the regulated activity is undertaken for a purpose related to a COVID-19 emergency, whether undertaken during the emergency or after the emergency ends.

(3) In this section:

***COVID-19 emergency*** means—

- (a) a state of emergency declared under the *Emergencies Act 2004*, section 156 because of the coronavirus disease 2019 (COVID-19); or
- (b) an emergency declared under the *Public Health Act 1997*, section 119 (including any extension or further extension) because of the coronavirus disease 2019 (COVID-19).

(4) This section expires on the day the *COVID-19 Emergency Response Act 2020* expires.

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## Endnotes

### 1 Notification

Notified under the [Legislation Act](#) on 22 September 2021.

### 2 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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