



# **National Redress Scheme for Institutional Child Sexual Abuse Declaration 2018**

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I, Dan Tehan, Minister for Social Services, make the following declaration.

Dated 29 June 2018

Dan Tehan  
Minister for Social Services

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## Part 1—Preliminary

### 1 Name

This instrument is the *National Redress Scheme for Institutional Child Sexual Abuse Declaration 2018*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information   |   |              |
|--|---|--------------|
| Column 1   | Column 2  | Column 3     |
| Provisions   | Commencement  | Date/Details |
| 1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered.                                  |              |
| 2. Part 2  | The day after this instrument is registered.                                  |              |
| 3. Parts 3 to 4  | Immediately after the commencement of the provisions covered by table item 2. |              |
| 4. Part 5  | The day after this instrument is registered.                                  |              |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

### 4 Definitions

In this instrument:

**Act** means the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

**Scheme** means the National Redress Scheme for Institutional Child Sexual Abuse as established by the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

## Part 2—Participating institutions

### 5 Operation of this Part

This Part is made for the purposes of subsection 115(2) of the Act.

### 6 Participating State institutions (NSW)

Each of the following State institutions of New South Wales is a participating institution:

- (a) A government sector agency within the meaning of the *Government Sector Employment Act 2013* (NSW);
- (b) A service of the Crown in which persons excluded from the *Government Sector Employment Act 2013* (NSW) by section 5 of that Act are employed;
- (c) A statutory body representing the Crown in right of the State of New South Wales that is authorised by legislation to employ staff;
- (d) A statutory body representing the Crown in right of the State of New South Wales that at any time received funding from the State for a public purpose;
- (e) A local health district or statutory health corporation established under the *Health Services Act 1997* (NSW);
- (f) A public hospital controlled by the Crown in right of the State of New South Wales;
- (g) Any institution (however described) that has been superseded by anything listed in paragraphs (a)-(f); and
- (h) Any institution (however described) of a kind referred to in paragraphs (a)-(f) that has been abolished.

Note: The avoidance of doubt, the institutions at (c) and (d) do not extend to a university, a residential college of a university or a local council.

### 7 Participating State institutions (Vic.)

Each of the following State institutions of Victoria is a participating institution:

- (a) Public sector bodies, within the meaning of the *Public Administration Act 2004* (Vic), whether established or in existence before, on or after the commencement of that Act;
- (b) All bodies that were established or in existence and ceased to exist before the commencement of the *Public Administration Act 2004* (Vic) and that would, if that Act had been in force, have been public sector bodies within the meaning of that Act, in relation to the period for which they so operated; and
- (c) Councils, within the meaning of the *Local Government Act 1989* (Vic).

Note: The classes of bodies include entities taking a range of legal forms (including corporations, statutory authorities, unincorporated bodies and incorporated associations) for example: public hospitals, school councils,

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TAFEs and State of Victoria Government Departments no longer in existence.

## **8 Participating Territory institutions (ACT)**

Each of the following Territory institutions of the Australian Capital Territory is a participating institution:

- (a) The Australian Capital Territory (the Territory) as established as a body politic by section 7 of the *Australian Capital Territory (Self-Government) Act 1988* (Cth);
- (b) A Territory owned corporation under the *Territory Owned Corporations Act 1990* or a subsidiary of a Territory owned corporation;
- (c) A Territory instrumentality within the meaning of the *Public Sector Management Act 1994*; and
- (d) Any other body that is:
  - i) subject to the control of the Territory or otherwise an agent of the Territory in exercising a function; or
  - ii) made up of public sector members within the meaning of the *Public Sector Management Act 1994*.

## **9 Participating non-government institutions**

Each of the following non-government institutions is a participating institution:

- (a) Korowal School Limited;
- (b) The National Council of the Young Men's Christian Associations of Australia;
- (c) Young Men's Christian Association of Ararat Inc;
- (d) Ararat and District YMCA Youth Clubs;
- (e) Young Men's Christian Association of Ballarat;
- (f) YMCA of Ballarat Youth Services Inc;
- (g) Bendigo Regional YMCA Youth Services Inc;
- (h) Bendigo & District Young Men's Christian Association Youth Services;
- (i) Young Men's Christian Association of Brisbane;
- (j) Y-Care (South East Queensland) Incorporated;
- (k) Young Men's Christian Association of Bundaberg Inc;
- (l) Young Men's Christian Association of Canberra;
- (m) YMCA E-Store Pty Ltd;
- (n) Young Men's Christian Association of Geelong Inc;
- (o) Geelong & District YMCA Youth Services;
- (p) Young Men's Christian Association of Hobart Inc;
- (q) Young Men's Christian Association of the Inner North East of Adelaide Inc;
- (r) Young Men's Christian Association of Launceston Inc;
- (s) YMCA of Manningham Youth and Community Services Inc;
- (t) YMCA of Manningham Inc;
- (u) Young Men's Christian Association of the Northern Territory Ltd;

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- (v) The YMCA of the Northern Territory Youth and Community Services Ltd;
- (w) Young Men's Christian Association of Perth Incorporated;
- (x) YMCA of Perth Youth and Community Services Inc;
- (y) Young Men's Christian Association of Queanbeyan Incorporated;
- (z) YMCA of South Australia Youth Services;
- (aa) Young Men's Christian Association of South Australia Incorporated;
- (ab) YMCA of South Australia Youth and Family Services Inc;
- (ac) Young Men's Christian Association of Sydney;
- (ad) YMCA of Sydney Youth and Community Services Incorporated;
- (ae) The Young Men's Christian Association of Victoria Inc (and all controlled entities);
- (af) YMCA Learning Communities Ltd (YMCA Whittlesea);
- (ag) YMCA Learning Communities Ltd (YMCA Geelong);
- (ah) YMCA Learning Communities Ltd (YMCA Victoria);
- (ai) YMCA Whittlesea Community Services;
- (aj) Young Men's Christian Association of Whittlesea Inc;
- (ak) Young Men's Christian Association of Adelaide;
- (al) The Young Men's Christian Association of Albury-Wodonga;
- (am) Young Men's Christian Association of Armidale Incorporated;
- (an) YMCA of Armidale Youth Services;
- (ao) Ballarat YMCA Swimming Club Inc;
- (ap) Ballarat Y.M.C.A. Camera Group Inc;
- (aq) Ballarat & District YMCA Youth Services;
- (ar) Banyule YMCA Youth Services;
- (as) Young Men's Christian Association of Benalla and District Inc;
- (at) Young Men's Christian Association of Bendigo Inc;
- (au) Young Men's Christian Association of Greater Bendigo Inc;
- (av) Bendigo Regional YMCA Youth and Community Services Inc;
- (aw) YMCA of Boroondara Inc;
- (ax) Brisbane YMCA Youth Services;
- (ay) Young Men's Christian Association of Broken Hill Inc;
- (az) Broken Hill YMCA Youth Services;
- (ba) The YMCA of Brunswick Incorporated;
- (bb) Brunswick YMCA Youth Services;
- (bc) Young Men's Christian Association of Busselton Incorporated;
- (bd) Bundaberg and District YMCA Youth Services;
- (be) Young Men's Christian Association of Cairns;
- (bf) Young Men's Christian Association of Camira-Springfield Inc;
- (bg) Young Men's Christian Association of Central Australia Inc;
- (bh) YMCA of Central Australian Inc Youth Services;
- (bi) YMCA of Central Australia Inc;
- (bj) Clematis and Districts YMCA Youth Services Inc;
- (bk) Young Men's Christian Association of Coburg Inc;
- (bl) YMCA Darebin Inc;



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- (bm) Darwin YMCA Youth Services;
  - (bn) The Eaglehawk and District YMCA Youth Services Inc;
  - (bo) Young Men's Christian Association of East Gippsland Inc;
  - (bp) YMCA East Gippsland Youth Services;
  - (bq) Young Men's Christian Association of Eastern Goldfields Inc;
  - (br) Eastern Goldfields YMCA Youth and Community Services Incorporated;
  - (bs) Eastern Goldfields YMCA Youth Services;
  - (bt) Young Men's Christian Association of Echuca;
  - (bu) Echuca and District YMCA Youth Services;
  - (bv) Young Men's Christian Association of Essendon and District;
  - (bw) Young Men's Christian Association of Footscray Limited;
  - (bx) Footscray and District YMCA Youth Club;
  - (by) Young Men's Christian Association of Gayndah Inc;
  - (bz) Gayndah & District YMCA Youth Services;
  - (ca) Geelong YMCA Dojo Social Club Inc;
  - (cb) YMCA of Geelong Youth Services Inc;
  - (cc) Young Men's Christian Association of Great Lakes Inc;
  - (cd) The Young Men's Christian Association of Hamilton;
  - (ce) Young Men's Christian Association of Heidelberg Limited;
  - (cf) Young Men's Christian Association of Kangaroo Flat Inc;
  - (cg) Young Men's Christian Association of Katherine;
  - (ch) Knox YMCA Disabled Persons Project Inc;
  - (ci) Young Men's Christian Association of La Trobe Valley;
  - (cj) Young Men's Christian Association of the City of Lake Macquarie;
  - (ck) The Launceston and District YMCA Youth Clubs;
  - (cl) Young Men's Christian Association of Lithgow Inc;
  - (cm) Manningham YMCA Youth Services;
  - (cn) Young Men's Christian Association Network of Metropolitan Melbourne Inc;
  - (co) Melbourne City YMCA Inc;
  - (cp) YMCA of Monash Inc;
  - (cq) Young Men's Christian Association of Mooney Valley;
  - (cr) Young Men's Christian Association of Moorabool Incorporated;
  - (cs) YMCA of Moorabool Youth Services Committee;
  - (ct) Young Men's Christian Association of Moreland Inc;
  - (cu) Young Men's Christian Association of Mornington Inc;
  - (cv) Morwell and District Y.M.C.A. Inc;
  - (cw) Young Men's Christian Association of Mount Gambier;
  - (cx) Mulgrave Y.M.C.A. Inc;
  - (cy) Young Men's Christian Association of Murgon;
  - (cz) Murgon and District YMCA Youth Services;
  - (da) Young Men's Christian Association of Newcastle;
  - (db) YMCA of Newcastle Youth Services;
  - (dc) Young Men's Christian Association of Newman;

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- (dd) Young Men's Christian Association of Palmerston Inc;
- (de) Peninsula Young Men's Christian Association Inc;
- (df) Perth YMCA Youth Services;
- (dg) Young Men's Christian Association of Peterborough;
- (dh) Young Men's Christian Association of Port Augusta Incorporated;
- (di) Young Men's Christian Association of Port Pirie Incorporated;
- (dj) Port Pirie and Districts YMCA Youth Clubs Inc;
- (dk) Portland YMCA Inc;
- (dl) Portland YMCA Youth and Community Services Inc;
- (dm) Portland and District YMCA Youth Services;
- (dn) South and Port Melbourne Y.M.C.A. Youth Services Inc;
- (do) Young Men's Christian Association of Stanthorpe Inc;
- (dp) Stanthorpe & District YMCA Youth Services;
- (dq) Stanthorpe YMCA Amateur Basketball Association Incorporated;
- (dr) Sydney YMCA Youth Services;
- (ds) New South Wales Council of Young Men's Christian Associations Inc;
- (dt) State Council of the Young Men's Christian Associations of Queensland Inc;
- (du) State Council of Young Men's Christian Associations of South Australia;
- (dv) State Council of the Young Men's Christian Associations of Victoria Inc;
- (dw) Victorian Council of YMCA Youth Services;
- (dx) Western Australian YMCA State Council Inc;
- (dy) Young Men's Christian Association of Tewantin-Noosa Inc;
- (dz) The Young Men's Christian Association of Thuringowa Inc;
- (ea) Young Men's Christian Association of Toowoomba;
- (eb) Young Men's Christian Association of the Top End;
- (ec) YMCA of the Top End Community Services Incorporated;
- (ed) The Toronto & District YMCA Youth Clubs;
- (ee) Young Men's Christian Association of Townsville;
- (ef) Traralgon and Districts Young Men's Christian Association Youth Services Inc;
- (eg) Walkerville YMCA Squash Club;
- (eh) Walkerville YMCA Youth Services;
- (ei) Wangaratta and District Young Men's Christian Association Youth Services Inc;
- (ej) Wangaratta and District YMCA Youth Services;
- (ek) Young Men's Christian Association of Warrnambool;
- (el) Warrnambool YMCA Youth Services;
- (em) Warrnambool YMCA Volleyball Association Inc;
- (en) Young Men's Christian Association of Whyalla;
- (eo) Young Men's Christian Association of Williamstown;
- (ep) The City of Wollongong and District YMCA Youth Clubs;
- (eq) The Lockington and District YMCA Youth Clubs Inc; and
- (er) The Scout Association of Australia NSW Branch.

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## **Part 3—Representatives for defunct non-government institutions**

### **10 Operation of this Part**

This Part is made for the purposes of section 119 of the Act.

### **11 Representatives for defunct non-government institutions**

The person specified in column 2 of an item of the following table is the representative for the defunct non-government institution specified in column 1 of the table.

| <b>Representatives for defunct non-government institutions</b> |   |   |
|--|---|---|
| <b>Item</b>  | <b>Column 1</b>   | <b>Column 2</b>   |
|  | <b>Defunct non-government institution</b>                 | <b>Representative</b>   |
| 1  | All YMCA Institutions as at Part 2, paragraphs 9(ak)-(eq) | The National Council of the Young Men's Christian Associations of Australia |

## Part 4—Participating groups

### Division 1—Participating groups of Commonwealth or State or Territory institutions

#### 12 Operation of this Part

This Division is made for the purposes of subsection 134(1) of the Act.

#### 13 Participating groups of Commonwealth or State or Territory institutions

The Commonwealth institutions or participating State institutions or participating Territory institutions specified in column 1 of an item in the following table form a participating group.

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| <b>Participating groups of Commonwealth or State or Territory institutions</b>         |   |
|--|---|
| <b>Item</b>  | <b>Column 1</b>   |
| <b>Commonwealth or State or Territory institutions that form a participating group</b> |   |
| 1  | All New South Wales institutions as at Part 2, paragraphs 6(a)-(h)                  |
| 2  | All Victorian institutions as at Part 2, paragraphs 7(a)-(c)                        |
| 3  | All Australian Capital Territory institutions as at Part 2, paragraphs 8(a)-(d)(ii) |

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Note: The representative for a participating group of Commonwealth institutions is the Commonwealth, and for a participating group of State or Territory institutions is the State or Territory concerned: see section 136 of the Act.

### Division 2—Participating groups of non-government institutions and representatives

#### 14 Operation of this Division

This Division is made for the purposes of subsections 134(1) and 137(1) of the Act.

#### 15 Participating groups of non-government institutions and representatives

- (1) The participating non-government institutions specified in column 1 of an item in the following table form a participating group.

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| <b>Participating groups of non-government institutions and representatives</b> |  |   |
|--|--|---|
| <b>Item</b>  | <b>Column 1</b>  | <b>Column 2</b>   |
| <b>Non-government institutions that form a participating group</b>             |  | <b>Representative</b>   |
| 1  | All YMCA institutions as at Part 2, paragraphs 9(b)-(aj) | The National Council of the Young Men's Christian Associations of Australia |

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- (2) The person specified in column 2 of the item is the representative for the group.

## **Part 5—Declared providers of counselling and psychological services**

### **16 Operation of this Part**

This Part is made for the purposes of subsection 147(1) of the Act.

### **17 Declared providers of counselling and psychological services**

Each of the following participating jurisdictions is a declared provider of counselling and psychological services under the Scheme:

- (a) New South Wales;
- (b) Victoria;
- (c) Australian Capital Territory.