



Crimes Amendment (National Disability Insurance Scheme—Worker Screening) Regulations 2019

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 17 October 2019

David Hurley
Governor-General

By His Excellency's Command

Christian Porter
Attorney-General

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1 Name

This instrument is the *Crimes Amendment (National Disability Insurance Scheme—Worker Screening) Regulations 2019*.

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. The whole of this instrument	The later of: (a) the start of the day after this instrument is registered; and (b) the commencement of the <i>National Disability Insurance Scheme Amendment (Worker Screening Database) Act 2019</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	1 November 2019 (paragraph (a) applies)

Note: This table relates only to the provisions of this instrument as originally made.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 *Crimes Act 1914*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Crimes Regulations 2019

1 Section 20 (at the end of the heading)

Add “—exclusions relating to work with children”.

2 Section 20

After “are prescribed” insert “to the extent that those laws relate to persons working, or seeking to work, with children (within the meaning of section 85ZZGF of the Act)”.

3 After section 20

Insert:

20A Exclusions from Divisions 2 and 3 of Part VIIC of the Act—exclusions relating to work with persons with disability

For the purposes of sections 85ZZGI, 85ZZGJ and 85ZZGK of the Act, the persons and bodies mentioned in column 1 of an item in the following table, and the laws mentioned in column 2 of an item in the table, as in force from time to time, are prescribed to the extent that those laws:

- (a) are NDIS worker screening laws (within the meaning of the *National Disability Insurance Scheme Act 2013*); and
- (b) relate to persons working, or seeking to work, with people with disability (within the meaning of section 85ZZGM of the *Crimes Act 1914*).

Prescribed persons, bodies and laws

Item	Column 1 Person or body	Column 2 Law
1	Screening Agency appointed under the <i>National Disability Insurance Scheme (Worker Checks) Act 2018</i> (NSW)	<i>National Disability Insurance Scheme (Worker Checks) Act 2018</i> (NSW)
2	Central assessment unit established under the <i>Child Safety (Prohibited Persons) Act 2016</i> (SA)	<i>Disability Inclusion Act 2018</i> (SA)
3	Registrar appointed under the <i>Registration to Work with Vulnerable People Act 2013</i> (Tas.)	<i>Registration to Work with Vulnerable People Act 2013</i> (Tas.)
4	Commissioner mentioned in section 17 of the <i>Working with Vulnerable People (Background Checking) Act 2011</i> (ACT)	<i>Working with Vulnerable People (Background Checking) Act 2011</i> (ACT)
