

Child Protection Reform Amendment Bill 2017

Amendments during consideration in detail to be moved by
The Honourable the Minister for Communities, Women and Youth,
Minister for Child Safety and Minister for the Prevention of Domestic and
Family Violence

1 Clause 64 (Insertion of new s 159NA)

Page 64, lines 3 to 11—

omit, insert—

- (1) Despite sections 159MA to 159N, information may not be shared under this part to the extent it relates to—
 - (a) a conviction included in a person's criminal history—
 - (i) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
 - (ii) that is not revived as prescribed by section 11 of that Act; or
 - (b) an expunged conviction or expunged charge.
- (2) In this section—

expunged charge see the *Criminal Law (Historical Homosexual Convictions Expungement) Act 2017*, schedule 1.

expunged conviction see the *Criminal Law (Historical Homosexual Convictions Expungement) Act 2017*, schedule 1.

2 After clause 87

Page 83, after line 27—

insert—

Part 4 Amendment of other Acts

Division 1 Amendment of Adoption Act 2009

88 Act amended

This division amends the *Adoption Act 2009*.

89 Amendment of s 312 (Evidentiary provisions for proceedings under this Act)

Section 312(3)(g), from ‘a recognised entity’ to
‘adoption of’—

omit, insert—

an independent Aboriginal or Torres Strait
Islander entity for

90 Amendment of s 314 (Confidentiality of information obtained by persons involved in administration of Act)

Section 314(1)(a)(v)—

omit, insert—

(v) an independent Aboriginal or Torres
Strait Islander entity, or member of an
independent Aboriginal or Torres Strait
Islander entity, for an Aboriginal or
Torres Strait Islander child;

91 Amendment of s 318 (Meaning of *appropriate Aboriginal or Torres Strait Islander person*)

Section 318(2)(b)—

omit, insert—

(b) an independent Aboriginal or Torres
Strait Islander entity for the child; or

92 Amendment of s 321 (Protection from liability)

Section 321(3)(d)—

omit, insert—

- (d) an independent Aboriginal or Torres Strait Islander entity, or member of an independent Aboriginal or Torres Strait Islander entity, for an Aboriginal or Torres Strait Islander child.

93 Amendment of sch 3 (Dictionary)

- (1) Schedule 3, definition *recognised entity*—

omit.

- (2) Schedule 3—

insert—

independent Aboriginal or Torres Strait Islander entity, for an Aboriginal or Torres Strait Islander child, means an entity that—

- (a) is an independent Aboriginal or Torres Strait Islander entity for the child under the *Child Protection Act 1999*, section 6(1); and
- (b) the chief executive is satisfied is an appropriate entity to consult about a matter relating to the child's adoption.

**Division 2 Amendment of Public
Guardian Act 2014**

94 Act amended

This division amends the *Public Guardian Act 2014*.

95 Amendment of s 13 (Functions—relevant child, etc.)

Section 13(1)(k), ‘a recognised entity’—

omit, insert—

an independent Aboriginal or Torres Strait Islander entity for the child

96 Amendment of s 86 (Prescribed entities)

Section 86(p)—

omit, insert—

(p) an independent Aboriginal or Torres Strait Islander entity for an Aboriginal or Torres Strait Islander child;

97 Amendment of sch 1 (Dictionary)

(1) Schedule 1, definition *recognised entity*—

omit.

(2) Schedule 1—

insert—

independent Aboriginal or Torres Strait Islander entity, for an Aboriginal or Torres Strait Islander child, see the *Child Protection Act 1999*, schedule 3.

3 Long title

Long title, from ‘Child’ to ‘2016’—

omit, insert—

Adoption Act 2009, the Child Protection Act 1999, the Director of Child Protection Litigation Act 2016 and the Public Guardian Act 2014