

CLAUSE NOTES

Registration to Work with Vulnerable People Bill 2013

Part I	PRELIMINARY
Clause 1	Short Title Provides that the Bill will be cited as the <i>Registration to Work with Vulnerable People Act 2013</i> .
Clause 2	Commencement Provides for the Bill to commence on a day or days to be proclaimed.
Clause 3	Interpretation Provides a list of definitions to apply in interpreting the Bill.
Clause 4	<i>Vulnerable person defined</i> A vulnerable person encompasses both 'children' and 'adults'. This clause provides that a <i>vulnerable person</i> is a child or an adult accessing a regulated activity. Children, due to their age, are necessarily considered vulnerable. An adult is considered to be a vulnerable person when he or she is accessing a regulated activity. This definition recognises an adult's changing circumstances as they will not be considered vulnerable at all times.
Clause 5	<i>Engaged in a regulated activity defined</i> This clause defines what is meant by the phrase <i>engaged in a regulated activity</i> . The definition requires <i>contact</i> as defined by section 6. It also encompasses both paid or unpaid participation, participation under an arrangement with another person, or otherwise. The definition also covers the situation where a person, including a vulnerable person, is engaged in a regulated activity if the regulated activity is conducted in residential premises; and the person resides in the residential premises; and the person, although not taking part in the regulated activity, may meet or be in the immediate vicinity of a vulnerable person who is at the premises for the purposes of taking part in the regulated activity. This reflects parallel legislative arrangements for family day care. A 'regulated activity' is defined in clause 3 to mean <i>an activity or service that is prescribed by the regulations to be a regulated activity</i> . This allows the Governor and Executive Council to declare what is

	and is not a regulated activity.
Clause 6	<p>Contact with a vulnerable person defined</p> <p>Clause 6 defines what is meant by contact between a person and a vulnerable person as part of taking part in a regulated activity and includes physical contact, oral communication, written communication dealing with a record relating to the vulnerable person, and making a decision that affects the vulnerable person. The definition is necessarily broad to encompass the various situations in which people may have an opportunity to harm a vulnerable person, either directly, through the misuse of information, or via a power imbalance.</p>
Clause 7	<p>Employer defined</p> <p>Clause 7 defines <i>employer</i> for the purposes of the Bill as an entity for whom a person engages in a regulated activity. This clause also provides examples of what constitutes an employer. For example, the person or body who engages volunteers is the ‘employer’ in that scenario.</p>
Clause 8	<p>Employer not limited to background checks in this Act</p> <p>Clause 8 clarifies that employers may make background checks which are additional to those provided for in this Bill.</p>
Clause 9	<p>Employer may require registration</p> <p>This clause provides that an employer may require an employee to be registered even if this Act does not require registration. For example, schools may require employees that are otherwise exempt from registration to be registered.</p>
Clause 10	<p>Notes and examples</p> <p>This clause stipulates that notes and examples provided in this Act form part of the Act, are not exhaustive and may extend, but not limit, the meaning of the provision in respect of which the note or example applies.</p>

Part 2 Clause 11	<p>REGISTRAR</p> <p>Registrar</p> <p>Clause 11 provides that a person who is a State Service officer or employee, may be appointed as Registrar for the purposes of the Act.</p>
Clause 12	<p>Advisory committees</p> <p>Clause 12 provides that the Minister may establish advisory committees and that matters may be referred by the Minister and Registrar to an advisory committee for consideration and advice. This clause further provides that the Registrar is the chairperson of each advisory committee; an instrument of appointment is required for each member of an advisory committee; and the Minister may regulate the proceedings of an advisory committee.</p>
Clause 13	<p>Provision of notices by Registrar</p> <p>Clause 13 stipulates the correct procedures for provision of notices by the Registrar.</p>
Clause 14	<p>Delegation by Registrar</p> <p>This clause allows the Registrar to delegate his or her functions and powers under the Act, other than the power of delegation.</p>
Part 3 Clause 15	<p>REQUIREMENT FOR REGISTRATION</p> <p>Person required to be registered to engage in regulated activity</p> <p>Clause 15 defines <i>close relative</i>, <i>day</i>, <i>emergency</i>, <i>emergency management worker</i> and <i>school</i> for the purposes of this section. It also provides at 15(2) that ‘a person is required to be registered to engage in a regulated activity’ with a list of exceptions to this law being provided for in clause 15(3). Like most provisions in the Bill, this provision is modelled on the ACT <i>Working with Vulnerable People (Background Checking) Act 2011</i> as adapted to suit the Tasmanian situation.</p> <p>The list of exemptions include: people under 16 years of age; close relatives of the vulnerable person; persons engaged in the activity for short periods (as specified); school students on work experience; police officers; correctional officers; registered health practitioners; Australian lawyers; staff members or volunteers for</p>

	<p>an approved provider under the Aged Care Act 1997 (Cth); those who only have contact with vulnerable people by telephone; emergency management workers dealing with an emergency; and people the Minister has declared, by order, not to be required to be registered for a particular regulated activity (for example, such as a World Youth Day).</p> <p>The exemptions for professional groups is limited to when they are engaged in the activity in the course of their profession. For example, an on duty police officer does not require registration.</p> <p>This clause provides notes with examples of what constitutes a regulated activity for a particular employer for the purposes of the exemption in relation to persons engaging in an activity for short periods.</p>
<p>Clause 16</p>	<p>Offence to engage in regulated activity unless registered</p> <p>Where registration is required, clause 16 creates an offence to engage in regulated activity without registration, knowingly, or with reckless disregard as to whether:</p> <ul style="list-style-type: none"> • registration is required, or • he or she is registered, or • he or she is engaging in a regulated activity. <p>This offence is punishable by a fine not exceeding 200 penalty units or imprisonment for a term not exceeding two years. It also provides an exemption where an unregistered person engages in a regulated activity under section 18 of the Act (which provides for supervised engagement in certain circumstances).</p> <p>The Government would be failing its duty towards vulnerable people if it did not impose penalties for a person engaging in a regulated activity without appropriate registration.</p>
<p>Clause 17</p>	<p>Offence for employer to engage unregistered person in regulated activity</p> <p>Clause 17 makes it an offence for an employer to engage a person, or require a person to be engaged in a regulated activity, while that person is unregistered. This offence is punishable by a fine not exceeding 50 penalty units. This applies to the scenario where an employer engages a person for the first time without checking the person is registered.</p> <p>This clause also makes it an offence for an employer to engage an unregistered person in a regulated activity with reckless disregard for whether or not the person is registered, or for whether the</p>

	<p>employer is engaging the person in a regulated activity. This second offence is seen as more serious and is punishable by a fine not exceeding 200 penalty units or imprisonment for a term not exceeding 2 years, or both. This applies to scenarios including where an employer becomes aware a previously engaged person is not registered.</p> <p>The clause also provides that the section does not apply to an employer where an unregistered person engages in a regulated activity for the employer under section 18.</p>
Clause 18	<p>Unregistered person may engage in regulated activity in certain supervised employment circumstances</p> <p>Clause 18 provides that an unregistered person may engage in regulated activity in certain supervised employment circumstances. It defines <i>eligible person</i> for the purposes of the section and further provides that an <i>eligible person</i> who has applied for registration under section 19, and who has not yet been registered, may perform regulated activities in certain circumstances, including under the supervision of a registered person.</p>
Part 4 Clause 19	<p>APPLYING FOR REGISTRATION</p> <p>Application for registration</p> <p>Clause 19 provides that a person may apply to the Registrar for registration under the Act using the application form the Registrar may approve, containing information required under section 20, accompanied by the prescribed fee and lodged in accordance with the manner prescribed by the regulations (or in the absence of this, in a manner approved by the Registrar).</p> <p>This clause also places limitations on applications for registration by a person who has been provided with a negative notice or whose registration has been cancelled.</p>
Clause 20	<p>Contents of application for registration</p> <p>This clause sets out the requirements for the contents of an application for registration. These include current and any previous name and address details, evidence of identity, employer details, the capacity in which the applicant engages or intends to engage in a regulated activity for that employer, and any other information prescribed by the regulations.</p> <p>This clause also provides for consent by the applicant for the Registrar: to check their criminal history, non-conviction information and any other information; to seek information or advice about the applicant under the Act (section 29 or section 45); and to contact the specified employer in relation to the status of the applicants registration. It also provides that information can be</p>

	<p>obtained from listed bodies</p> <p>In <i>R v Chief Constable of the North Wales Police; Ex parte Thorpe</i> [2008] EWHC 1870, the United Kingdom High Court (Queens Bench Division) dealt with an employment screening process that was not provided for in legislation. The court held that there was a general presumption against disclosure of criminal history information unless justified in the circumstances of each case. Hence, this clause provides for consent to be given for a criminal history check (and the legislation later provides that criminal history is to be considered as part of a risk assessment).</p> <p>The clause further requires a written statement by the applicant regarding offences committed outside of Australia and any other document prescribed by the regulations.</p>
Clause 21	<p>Registrar to notify applicant of certain matters</p> <p>This clause provides that the Registrar must notify applicants in writing of his or her rights and obligations under the Act, the information he or she may supply to support the application and of the risk assessment order.</p>
Clause 22	<p>Requiring additional information</p> <p>Clause 22 provides that the Registrar may require the applicant to supply additional information or documentation and that if the applicant does not comply, the Registrar may refuse to consider the application further.</p>
Clause 23	<p>Offence to give false or misleading information</p> <p>This clause creates an offence of giving false or misleading information in making an application for registration, or in providing additional information required under section 22.</p>
Clause 24	<p>Offence for applicant to fail to disclose charge or conviction for relevant offence</p> <p>Clause 24 makes it an offence for an applicant who is charged with, convicted of, or found guilty of a relevant offence (subsequent to lodging an application but before being registered or provided with a negative notice) to fail to notify the Registrar of this within 10 working days after being charged, convicted or found guilty. The fine is not to exceed 50 penalty units.</p> <p>The clause provides for the supply of information that is critical to the screening process but was not evident or existing at the time of</p>

	the application.
Part 5 Division 1 Clause 25	<p>RISK ASSESSMENTS</p> <p>Meaning of risk assessment</p> <p>Risk assessment defined</p> <p>Clause 25 defines <i>risk assessment</i> to be ‘an assessment by the Registrar as to whether the person poses an unacceptable risk of harm to vulnerable persons, whether by reason of neglect, abuse or other conduct by the person.’ The Note gives examples of types of harm to a vulnerable person including ‘sexual, physical, emotional and financial.’</p>
Division 2 Clause 26	<p>Risk assessment orders</p> <p>Risk assessment order</p> <p>Clause 26 provides the Minister with the power to make risk assessment orders in relation to matters that the Registrar must or may take into account in relation to the scope of such power.</p> <p>The purpose of this is to ensure that risk assessments are conducted with rigorous consistency.</p> <p>Amongst other things, the clause outlines what the Registrar must or may take into account in conducting risk assessments; including the person’s criminal history and whether the person has previously been provided with a negative notice.</p> <p>This clause also provides that an order: may provide for the making of submissions to the Registrar in relation to any matter he or she must take into account in conducting a risk assessment; and may provide for matters relating to the provision of a proposed negative notice and reviews of negative risk assessments.</p> <p>Furthermore, the clause provides that an order is a statutory rule within the meaning of the <i>Rules Publication Act 1953</i>.</p>
Clause 27	<p>Availability of risk assessment order</p> <p>Clause 27 stipulates that the Registrar is to make a risk assessment order available for public inspection and on request is to provide a copy of a risk assessment order (or part thereof) to the person who applies for it.</p>
Division 3 Clause 28	<p>Conducting risk assessments</p> <p>Risk assessments</p> <p>Clause 28 provides that the Registrar is to conduct a risk assessment in accordance with the regulations and the risk assessment order on receipt of an application for registration. The</p>

	<p>regulations and order ensure robustness and consistency in the risk assessment process.</p>
<p>Clause 29</p>	<p>Registrar may seek information to conduct risk assessments</p> <p>Clause 29 gives the Registrar power to seek information from any entity, including any public authority/body/Government agency outside of Tasmania (including overseas), in conducting risk assessments.</p> <p>It is important that the Registrar can access a broad range of information so that both risk factors and mitigating factors may be considered in making a balanced determination.</p> <p>The clause further provides that if an entity provides information or advice under this section, it does not contravene any duty of confidentiality it may have under any law or agreement. The clause refers to entities, as they are subject to the Act. The provision of information by bodies outside the Tasmanian jurisdiction are subject to their own laws.</p>
<p>Division 4 Clause 30</p>	<p>Negative risk assessments</p> <p>Proposed negative notices</p> <p>Clause 30 outlines the required process for giving a negative notice following a risk assessment in which the Registrar is satisfied that the person posed an unacceptable risk of harm to vulnerable persons.</p> <p>The person must be notified in writing with reasons for the Registrar's intention to refuse registration and has a right to reconsideration by the Registrar within 20 working days of receiving notice. If the person does not request reconsideration, the Registrar must provide the person with a negative notice.</p> <p>The clause also provides that the Registrar is not to notify a named employer of the proposed negative notice or reasons for it. This prevents the inappropriate disclosure of protected information concerning the applicant.</p>
<p>Clause 31</p>	<p>Extension of period to request reconsideration of negative risk assessment</p> <p>Clause 31 provides for the process to extend the period to request reconsideration of a negative risk assessment. The period can be extended only once for a period of 20 working days.</p>

<p>Clause 32</p>	<p>Refusal to register a person and negative notices</p> <p>Clause 32 provides that the Registrar is to refuse to register a person if he or she reconsiders a negative risk assessment at the request of a person provided with a negative notice; and, is satisfied the person poses an unacceptable risk of harm to vulnerable persons generally. In the scenario that a person poses a risk in relation to some regulated activities, but not others, the person can receive a positive risk assessment under section 33.</p> <p>The clause also provides that the Registrar is to refuse to register a person, if the Registrar has provided a proposed negative notice to the person, and the person has not requested a review in the correct manner.</p> <p>The clause further provides that notification in writing with rationale must be provided to the applicant for any refusal to register. Any employer must also be notified of the giving of a negative notice, however, the reasons for the negative notice are not to be provided to the named employer.</p> <p>Decisions of the Registrar will be made in accordance with the Act, and its regulations and orders and will be subject to appeal under the Act.</p>
<p>Part 6 Division 1 Clause 33</p>	<p>REGISTRATION</p> <p>Registration</p> <p>Registration</p> <p>Clause 33 defines ‘positive risk assessment’, as meaning that the Registrar is satisfied that the person does not pose, or poses an acceptable risk of harm to vulnerable persons generally, or to particular classes of vulnerable persons. The clause compels the Registrar to appropriately register a person for whom a positive risk assessment has been made and provides for notification of the person and any named employer. The Registrar is to comply with any relevant risk assessment order on registering a person.</p>
<p>Clause 34</p>	<p>Term of registration</p> <p>Clause 34 provides that the term of registration is to be determined by the Registrar, but is not to exceed three years from the defined commencement date. The registration period of the person can commence on the day the person is registered or a later day as specified. Registrations cannot be indefinite because risk assessments are conducted as a point-in-time exercise that must be periodically updated if the registered person’s circumstances change.</p>

<p>Clause 35</p>	<p>Conditional registration</p> <p>This clause empowers the Registrar to impose conditions on registrations. Conditions are available to the Registrar as a means of addressing any specific risks of harm that a particular applicant may present. For example, if an applicant has a significant history of dangerous driving, a condition may be imposed that a registered person must not drive a motor vehicle with a vulnerable person as passenger. Conditions could also be used to stipulate that the registered person may only be engaged by an employer in specified regulated activities.</p> <p>The clause further provides that the Registrar may consult with independent advisors and other persons and consider their advice before imposing a role-based registration.</p> <p>For example, a person might hold a registration that is conditional in only allowing engagement in regulated activities relating to children, or adults, or both.</p>
<p>Clause 36</p>	<p>Proposed conditional registration</p> <p>Clause 36 stipulates the process for registering a person conditionally including notification in writing and provides the person with the right to request a reconsideration of the determination to make the registration subject to the condition. To prevent the inappropriate disclosure of an applicant’s protected information, the clause further provides that the Registrar is not to notify a named employer that a proposed conditional registration notice has been given or of the reasons for this.</p>
<p>Clause 37</p>	<p>Extensions of periods for requesting consideration of proposed conditional registration</p> <p>Clause 37 provides the Registrar with the power to extend the 20 working day period for requesting consideration of proposed conditional registration if he or she is satisfied on reasonable grounds that this is appropriate in the circumstances. Notification of the Registrar’s decision is to be given specifying any time extension, if an extension is granted, or reasons for refusal if an extension is not granted.</p>
<p>Clause 38</p>	<p>Reconsideration of proposed conditional registration</p> <p>Clause 38 provides that the Registrar must reconsider proposed conditional registration on written request within the relevant period of 20 working days or as extended under section 37, and is to take into account any relevant new or corrected information provided by the person. After reconsidering the determination to make registration subject to a condition, the Registrar may decide to register the person unconditionally or register the person</p>

	subject to a condition depending on whether the Registrar determines that the condition is necessary.
Clause 39	<p>Registration after proposed conditional registration notice</p> <p>Clause 39 provides that if a person does not request a reconsideration of conditional registration within the relevant period of 20 working days or as extended under section 37, then the Registrar is to register the person subject to a condition. After reconsideration of proposed conditional registration, the Registrar is to register a person subject to a condition if the Registrar determines that the condition is appropriate, and is to register a person without that condition if the Registrar determines that the condition is inappropriate. The Registrar must notify the person in writing of registration, any conditions and reasons for the conditions. The Registrar must notify any named employer in writing of the person's registration and any conditions on registration.</p>
Clause 40	<p>Amendment of conditional registration</p> <p>Clause 40 provides the procedure by which conditional registration can be amended and gives the Registrar the power to amend or not to amend the registration and provides requirements for the Registrar to notify the applicant and any named employer of any changes.</p> <p>For example, a person registered with a condition limiting the person's engagement to child-related activities may later seek an amendment to allow engagement with adult-related regulated activities.</p>
Clause 41	<p>Offence for registered person to contravene condition of registration</p> <p>Clause 41 creates an offence for a registered person to contravene a condition of registration which is punishable by a fine not exceeding 200 penalty units or imprisonment for a term not exceeding 2 years, or both.</p>
Division 2 Clause 42	<p>Registration cards</p> <p>Registration card</p> <p>Clause 42 requires the Registrar to provide the person working with vulnerable people with a registration card detailing factors</p>

	<p>including the person's name and date of birth, a photograph of the person's face, a unique identifying number, the date the registration expires and any other matter prescribed by the regulations.</p> <p>As conditions of registration may change from time to time, these will not necessarily be included on the card, but administrative systems are being considered so that employers can easily check any conditions on a person's registration.</p>
Clause 43	<p>Replacement registration cards</p> <p>Clause 43 provides for application and issue of a replacement registration card where a card is lost, stolen, destroyed or damaged.</p>
Clause 44	<p>Surrender of registration card</p> <p>This clause provides for the surrender of a registration card within 10 days of cancellation, and makes it an offence to fail to do so, unless the card was lost, stolen or destroyed.</p>
Division 3 Clause 45	<p>Monitoring registered persons</p> <p>Registrar may obtain information from entities about registered people</p> <p>Clause 45 gives the Registrar power to obtain information or advice from entities, including public authorities/bodies/Government agencies outside of Tasmania (or Australia) about whether a currently registered person poses a risk or an acceptable risk of harm to a vulnerable person. The clause also provides that in providing such information, an entity (that is, an entity subject to Tasmanian law) does not breach any duty of confidentiality.</p>
Clause 46	<p>Additional risk assessments</p> <p>Clause 46 provides that additional risk assessments may be carried out if the Registrar believes that there is new relevant information about a registered person. The Registrar can leave a person's registration unchanged, add or amend a condition of registration or remove a condition of registration, depending on whether he or she determines that the person poses an unacceptable or acceptable risk or no risk of harm to a vulnerable person. Sections 36, 37 and 38, which relate to notification of proposed conditional registration and reconsideration terms, apply. The section also provides that the Registrar may proceed under section 50 and 51 to cancel the person's registration if he or she is satisfied that the person poses an unacceptable risk of harm to a vulnerable person.</p> <p>For example, a person registered with conditions allowing more than one regulated activity to be engaged in might have their</p>

	<p>conditions amended to reduce the number of allowed regulated activities. If the person posed an unacceptable risk of harm in relation to all the activities allowed by their registration, the registration may be cancelled.</p>
<p>Clause 47</p>	<p>Offence for registered person to fail to disclose charge, conviction or finding of guilt for relevant offence</p> <p>Clause 47 creates an offence for a registered person to fail to disclose a charge, conviction or finding of guilt for a relevant offence and sets the process of notification. The offence is punishable by a fine not exceeding 50 penalty units.</p>
<p>Clause 48</p>	<p>Offence for registered person to fail to notify change of name or address</p> <p>Clause 48 creates an offence for a registered person to fail to notify the Registrar of change of name or address and establishes the process of notification. The offence is punishable by a fine not exceeding 10 penalty units.</p>
<p>Division 4 Clause 49</p>	<p>Suspending or cancelling registration</p> <p>Grounds for suspension or cancellation of registration</p> <p>Clause 49 provides grounds for suspension or cancellation of registration, including cases where a person has contravened a conditional of registration, during the period in which an additional risk assessment is being conducted and following an additional risk assessment where the Registrar is satisfied that the person poses an unacceptable risk of harm to a vulnerable person.</p>
<p>Clause 50</p>	<p>Notice of proposed suspension or cancellation of registration</p> <p>Clause 50 establishes the process for notification by the Registrar to a registered person of the intention to suspend or cancel the person's registration. The notice must set out grounds for suspension or cancellation and the person has a right to provide reasons as to why the registration should not be suspended or cancelled.</p>

Clause 51	<p>Suspension or cancellation or registration</p> <p>Clause 51 sets out the circumstances in which the Registrar is to suspend or cancel a person’s registration, including notice provisions to any known employer of the person to whom the registration is relevant.</p>
Division 5 Clause 52	<p>Surrendering registration</p> <p>Surrendering registration</p> <p>Clause 52 sets the process by which a registered person may surrender his or her registration. This includes providing a notice of surrender together with his or her registration card or a written statement stating the card has been lost, stolen or destroyed if this is the case. This clause also provides that the surrender of registration takes effect either on the day the notice of surrender and registration card is provided to the Registrar, or at a later date as provided for. On surrender of registration the Registrar is to notify the person’s relevant employers in writing of that surrender.</p>
Part 7 Clause 53	<p>NOTIFICATION AND REVIEW OF DECISIONS</p> <p>Review of decisions</p> <p>Clause 53 defines <i>reviewable decision</i> to mean: a refusal under section 32 to register a person; the registration under section 39 of a person subject to a condition; the refusal under section 40(5)(b), the adding of or amendment of a condition to registration under section 46(3)(b) or (c); the suspension or cancellation under section 51(1) of a person’s registration; the refusal under section 31(3)(b) to extend the 20 working day period specified in section 30(2)(b)(ii); or the refusal under section 37 to extend the 20 working day period specified in section 36(2)(b)(ii).</p> <p>The clause further provides that a person aggrieved by that decision may apply for a review of that decision by the Magistrates Court (Administrative Appeals Division) and makes that decision subject to the <i>Magistrates Court (Administrative Appeals Division) Act 2001</i>.</p> <p>Clause 53(3) provides that the review by the Magistrates Court of a reviewable decision under this Act is to be held in private, unless the Court orders otherwise under clause 53(4).</p>
Part 8 Clause 54	<p>MISCELLANEOUS</p> <p>Offence to use or divulge protected information</p>

	<p>Clause 54 defines <i>court, divulge, officer, produce, protected information, and use information</i> for the purposes of this section, and creates offences to use or divulge protected information which are punishable by fines not exceeding 50 penalty units or imprisonment for a term not exceeding 6 months, or both. The clause also provides that the offences it creates will not apply if information is used or divulged under this or another Act or a corresponding law, or in other listed circumstances.</p> <p>For example, this allows appropriate disclosures to screening units in other jurisdictions, if those other jurisdictions make lawful requests of the Registrar.</p>	
Clause 55	<p>Infringement notices</p> <p>This clause defines <i>infringement offence</i> for the purposes of the Act and provides that the Registrar may issue and serve an infringement notice on a person if he or she reasonably believes that the person has committed an infringement offence. The Regulations made under this Act may prescribe penalties for infringement offences.</p>	
Clause 56	<p>Protection from liability</p> <p>This clause provides that officials do not incur any personal liability in respect of any act done or omitted in good faith in the exercise of duties in the administration of this Act, and defines <i>official</i> for the purposes of this section.</p>	
Clause 57	<p>Exemption from <i>Right to Information Act 2009</i> and <i>Personal Information Protection Act 2004</i></p> <p>This clause provides that the <i>Right to Information Act 2009</i> does not apply to information in the possession of an official, as defined for the purposes of this section, unless the information relates to the administration of public authority within the meaning of that Act. It also provides that the <i>Personal Information Protection Act 2004</i> does not apply to the obtaining or possession of information by an official for the purposes of this Act.</p>	
Clause 58	<p>Evidentiary certificates</p> <p>This clause provides that in any proceedings, the production of certificates signed by the Registrar stating registration details is evidence of the matters stated in it.</p>	
Clause 59	<p>Approved forms</p> <p>Clause 59 provides that the Registrar may approve forms for the purposes of this Act and that such forms are to be used for the described purpose.</p>	
Clause 60	<p>Regulations</p> <p>Clause 60 provides for the making of regulations for the purposes</p>	

	<p>of this Act and without limiting the generality of the power to make regulations, lists matters the regulations may provide for matters including setting offences, setting fees, and providing for savings and transitional matters.</p> <p>This includes the identification of the activities to be regulated by the Act.</p>
<p>Clause 61</p>	<p>Administration of Act</p> <p>Clause 61 provides that until provision is made under section 4 of the <i>Administrative Arrangements Act 1990</i>, the administration of the Act is to be assigned to the Minister for Justice; and the department responsible to that Minister in relation to the administration of this Act is the Minister for Justice.</p>