

CLAUSE NOTES

Registration to Work with Vulnerable People Amendment Bill 2025

Clause 1 Short title

This clause specifies the short title of the proposed Act.

Clause 2 Commencement

This clause provides that the Act commences on the day it receives Royal Assent.

Clause 3 Principal Act

This clause provides that the Principal Act being amended by this Act is the *Registration to Work with Vulnerable People Act 2013*.

Clause 4 Section 18 amended (Unregistered person may engage in regulated activity in certain supervised employment circumstances)

Section 18 currently provides that in limited circumstances a person can engage in regulated activities while their application for registration is being processed, such as under supervision, unless the Registrar determines otherwise (known as an interim bar).

This clause amends subsection (4) to both include the current grounds of making a determination, and add a ground that the person is subject to a determination, under a corresponding law, that is equivalent to a determination under subsection (4).

Clause 5 Section 19 amended (Application for registration)

This clause amends section 19 to only allow a person whose registration has been refused, or who has had their registration cancelled, under a corresponding law, to apply for a registration category in Tasmania if they are eligible to apply for registration under the corresponding law in the equivalent category that had been refused or cancelled.

The amendments also ensure that only the refusal or cancellation made in the original jurisdiction is considered by the Registrar, and not the resultant refusals or cancellations made by other jurisdictions mutually recognising the decision of the originating jurisdiction. This is so that the eligibility to re-apply is tied to the original jurisdiction that cancelled the registration or refused an application.

Clause 6 Section 20 amended (Contents of application for registration)

Applications for registration already include a check of any negative registration decisions for the applicant in other jurisdictions. This clause supports this practice through an amendment to section 20 to require applicants to proactively disclose this history. If an applicant does not disclose this history, it will still be uncovered through the current checking process. The amendment in clause 7 addresses disclosure by people who are already registered.

Clause 7 Section 47A inserted

47A. Offence for registered person to fail to disclose certain matters under a corresponding law

This clause creates an offence for registered persons who do not disclose any negative registration decisions made against them in another jurisdiction to the Registrar. The penalty is the same as existing offences in section 47 of the Act for failing to disclose charges or convictions for relevant offences.

Clause 8 Section 49 amended (Grounds for suspension or cancellation of registration)

This clause adds a new paragraph to section 49 which provides that, for the avoidance of doubt, the Registrar must suspend a person's registration when conducting an additional risk assessment of the person on the grounds that the person's registration under a corresponding law has been suspended under that corresponding law.

If the person's interstate suspension progresses to a cancellation, the amendments under clause 9 will apply.

Clause 9 Section 51 amended (Suspension or cancellation of registration)

This clause ensures that, where a person is already registered in Tasmania, an interstate decision to deny or cancel their registration means the Registrar must cancel their registration in the equivalent category. Currently, such an interstate decision would result in a risk assessment by the Registrar, but the amendment clarifies the cancellation must occur if the Registrar is satisfied of the interstate decision.

Clause 10 Repeal of Act

This is a standard clause for amending legislation, repealing this amending Act one year after its amendments have been incorporated into the Principal Act.