

**NORTHERN TERRITORY OF AUSTRALIA**

**NATIONAL DISABILITY INSURANCE SCHEME (WORKER CLEARANCE)  
REGULATIONS 2021**

As in force at 30 April 2023

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 30 April 2023

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## NATIONAL DISABILITY INSURANCE SCHEME (WORKER CLEARANCE) REGULATIONS 2021

### Regulations under the *National Disability Insurance Scheme (Worker Clearance) Act 2020*

#### 1 Title

These Regulations may be cited as the *National Disability Insurance Scheme (Worker Clearance) Regulations 2021*.

#### 2 Commencement

These Regulations commence on 1 July 2021.

#### 3 Definitions

In these Regulations:

***person under care***, in relation to a person, means a child or vulnerable person who:

- (a) is receiving care or support because the child or vulnerable person is unable to:
  - (i) care for themselves; or
  - (ii) protect themselves from harm or exploitation; and
- (b) has a relationship with the person:
  - (i) because of the care or support mentioned in paragraph (a); and
  - (ii) other than because the person is a relative of the child or vulnerable person.

***relative***, see regulation 4.

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**vulnerable person** means an adult who is, or may be, unable to take care of themselves or protect themselves from harm or exploitation due to age, illness or disability, and includes an adult who has difficulty:

- (a) understanding their rights; or
- (b) understanding a power imbalance between themselves and other persons; or
- (c) understanding that a person's behaviour, intended or otherwise, is inappropriate or illegal; or
- (d) making a decision; or
- (e) providing consent or agreement; or
- (f) expressing disapproval or objection; or
- (g) communicating; or
- (h) preventing, defending or protecting themselves against an offence or a person who commits an offence.

#### **4 Relative**

- (1) Each of the following is a **relative** of a person:
- (a) a spouse or de facto partner of the person;
  - (b) a child of the person;
  - (c) a stepchild of the person;
  - (d) a foster child of the person;
  - (e) a parent, grandparent or any other ancestor of the person;
  - (f) a stepparent of the person;
  - (g) a foster parent of the person;
  - (h) a sibling of the person;
  - (i) an uncle or aunt of the person;
  - (j) a cousin of the person;

- 
- (k) another person who is related to the person in accordance with:
    - (i) any customary law or tradition applicable to the person; or
    - (ii) any contemporary custom or practice.
  - (2) To avoid doubt, a relationship referred to in subregulation (1) may include a relationship that arises through common ancestry, adoption, marriage, de facto relationship or any customary law or tradition.

## **5 Corresponding laws**

For section 7(1) of the Act, definition **corresponding law**, each law listed in Schedule 1 is prescribed as a corresponding law.

## **6 Disqualifying offences**

For section 7(1) of the Act, definition **disqualifying offence**, the following are prescribed:

- (a) an offence against a provision of an Act or Act of the Commonwealth specified in Schedule 2, subject to any qualification specified opposite the provision;
- (b) an offence against a law of a State, other Territory or foreign country that, if it had been committed in the Territory, would have constituted an offence mentioned in paragraph (a);
- (c) an offence of attempting, or of conspiracy or incitement, to commit an offence mentioned in paragraph (a) or (b);
- (d) an offence that has, as an element, intention to commit an offence mentioned in paragraph (a) or (b).

## **7 Presumed disqualifying offences**

For section 7(1) of the Act, definition **presumed disqualifying offence**, the following are prescribed:

- (a) an offence against a provision of an Act or Act of the Commonwealth specified in Schedule 3, subject to any qualification specified opposite the provision;
- (b) an offence against a law of a State, other Territory or foreign country that, if it had been committed in the Territory, would have constituted an offence mentioned in paragraph (a);

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- (c) an offence of attempting, or of conspiracy or incitement, to commit an offence mentioned in paragraph (a) or (b);
  - (d) an offence that has, as an element, intention to commit an offence mentioned in paragraph (a) or (b).

## **8 Historic offences**

An offence that is prescribed as a disqualifying offence under regulation 6 or a presumed disqualifying offence prescribed under regulation 7 is a disqualifying offence or a presumed disqualifying offence even if:

- (a) the offence was committed before the commencement of these Regulations; or
- (b) the offence is repealed.

## **9 Requirements for application for screening check**

- (1) For section 17(2)(a) of the Act, an application for a screening check must contain the information required by this regulation.
- (2) The application must include the following:
  - (a) details of any worker screening or worker clearance the applicant has held in relation to working with children or vulnerable people;
  - (b) details of the suspension or cancellation of any worker screening or worker clearance the applicant has held in relation to working with children or vulnerable people;
  - (c) details of any investigation conducted by a government agency in Australia in relation to the applicant involving an allegation of abuse or neglect of a child in the applicant's care that resulted in the restriction of contact between the applicant and the child or the removal of the child from the applicant's care;
  - (d) details of any workplace misconduct investigation related to any of the following:
    - (i) violent behaviour or assault;
    - (ii) indecent or sexual behaviour or misconduct;
    - (iii) fraud, deception or theft;

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- (iv) failure to provide care for a child or vulnerable person.

*Note for regulation 9(2)*

*See section 19 of the Act in relation to disclosures to be included in an application.*

- (3) The application must include the applicant's:
  - (a) full name and any previous names; and
  - (b) gender; and
  - (c) date of birth; and
  - (d) place and country of birth; and
  - (e) current and previous residential addresses; and
  - (f) current postal address; and
  - (g) current email address.
- (4) The application must include, if applicable, the applicant's employer's:
  - (a) name; and
  - (b) NDIS Provider Number.

## **10 Proof of identity documentation**

- (1) For section 17(2)(b) of the Act, an application for a screening check must be accompanied by the proof of identity documents prescribed in this regulation.
- (2) The application must be accompanied by an original or a copy of:
  - (a) one document specified in Schedule 4, Part 1; and
  - (b) one document specified in Schedule 4, Part 2; and
  - (c) two documents specified in Schedule 4, Part 3.
- (3) A document cannot be used to satisfy more than one of the categories specified in subregulation (2).
- (4) The following must be included in at least one of the documents provided under subregulation (2):
  - (a) a photograph of the applicant;

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- (b) the current residential address of the applicant;
  - (c) the signature of the applicant;
  - (d) the date of birth of the applicant.
- (5) Despite subregulations (2) to (4), the Screening Agency may accept an application that is accompanied by an alternative combination of documents listed in Schedule 4 if the Screening Agency is satisfied that exceptional circumstances exist.

## **11 Fees**

For section 17(2)(c) of the Act, the prescribed fee is:

- (a) if the screening check is required by the applicant for voluntary work only – 10 revenue units; or
- (b) otherwise – 100 revenue units.

## **12 Response time limit**

For section 17(4) of the Act, the prescribed time is 30 days from the date of the written notice.

## **13 Application for internal review**

An application for internal review under section 42(3) of the Act must:

- (a) be in writing; and
- (b) specify the name of the affected person; and
- (c) identify the reviewable decision; and
- (d) set out the reasons the affected person is seeking a review of the decision; and
- (e) specify an address to which correspondence regarding the review may be sent to the affected person.

## **14 Conduct of internal review**

- (1) Within 30 days after receiving an application in accordance with regulation 13, the internal reviewer must, subject to subregulation (2), review the reviewable decision and notify the affected person, in writing, of the outcome of the review.



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- (2) The internal reviewer may refuse to review a decision if satisfied that the application for review was not made within 30 days after the affected person was notified of the decision.
  - (3) If subregulation (2) applies, the internal reviewer is taken to have confirmed the reviewable decision.
  - (4) A review must be conducted fairly and with as much expedition as a proper consideration of the matter permits.
  - (5) A review must not be conducted by the officer or employee who made the reviewable decision the subject of the review.

**15 Notice of outcome of review**

A notice of the outcome of a review must:

- (a) include the reasons for the outcome; and
- (b) include a statement setting out the affected person's rights under section 43 of the Act.

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**Schedule 1 Corresponding laws**

regulation 5

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<b>Jurisdiction</b>	<b>Corresponding law</b>
Australian Capital Territory	<i>Working with Vulnerable People (Background Checking) Act 2011</i>
Commonwealth	<i>National Disability Insurance Scheme (NDIS Worker Screening Law) Determination 2020</i>
	<i>National Disability Insurance Scheme (Practice Standards – Worker Screening) Rules 2018</i>
New South Wales	<i>National Disability Insurance Scheme (Worker Checks) Act 2018</i>
Queensland	<i>Disability Services Act 2006</i>
South Australia	<i>Disability Inclusion Act 2018</i>
Tasmania	<i>Registration to Work with Vulnerable People Act 2013</i>
Victoria	<i>Worker Screening Act 2020</i>
Western Australia	<i>National Disability Insurance Scheme (Worker Screening) Act 2020</i>

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## Schedule 2 Disqualifying offences

regulation 6

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### 1 Criminal Code

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Provision of Act	Qualification
125B	
125C	The article relates to a child or a vulnerable person
125E	
127	The victim is a child under 14 years or The victim is a child aged 14 years or over and the offender is at least 5 years older than the victim
128, 130, 131	
131A	The victim is a child under 14 years or The victim is a child aged 14 years or over and the offender is at least 5 years older than the victim
132	The circumstances mentioned in subsection (2)(d) exist or The circumstances mentioned in subsections (2)(a), (b), (c), (e) or (f) exist and: (a) the victim is a child under 14 years; or (b) the victim is a child aged 14 years or over and the offender is at least 5 years older than the victim
134	The victim is a child or a vulnerable person
138, 156, 165	
174E	The victim is a child or a vulnerable person
174F(1), 174FC(1)	The offender intended to cause death

175, 176, 177, 181, 182, 185, 186B, 186C	The victim is a child or a vulnerable person
188	<p>The circumstances mentioned in subsections (2)(c) or (d) exist</p> <p>or</p> <p>The circumstances mentioned in subsection (2)(k) exist and:</p> <p>(a) the victim is a child under 14 years; or</p> <p>(b) the victim is a child aged 14 years or over and the offender is at least 5 years older than the victim; or</p> <p>(c) the victim is a vulnerable person</p> <p>or</p> <p>The circumstances mentioned in subsection (2)(m) exist and the victim is a child or a vulnerable person</p>
192, 192B, 193	The victim is a child or a vulnerable person
194, 195	The victim is a child or a vulnerable person who is not a relative of the offender
201	
202B	The victim is a child or a vulnerable person
202C(1)	The victim is a vulnerable person
202C(2) and (3)	
202D	The victim is a child or a vulnerable person
<b>2</b>	<b>Sex Industry Act 2019</b>
<b>Provision of Act</b>	<b>Qualification</b>
12, 13, 14	
<b>3</b>	<b>Criminal Code (Commonwealth)</b>
<b>Provision of Act</b>	<b>Qualification</b>
71.2	
71.4, 71.5, 71.8	The victim is a child or a vulnerable person

71.9, 71.10	The victim is a child or a vulnerable person who is not a relative of the offender
73.2	The victim is a child or a vulnerable person
73.3	At least 1 victim is a child or a vulnerable person
73.3A	The conduct constituting the offence of people smuggling relates, or would relate, to at least 1 person who is a child or a vulnerable person
104.1 as in force before 15 December 2005	
104.3 and 104.4 as in force before 15 December 2005	The victim is a child or a vulnerable person
115.1	
115.3, 115.4	The victim is a child or a vulnerable person
268.3	
268.4	At least 1 victim is a child or a vulnerable person
268.5, 268.6, 268.7, 268.8, 268.9	
268.10, 268.13	At least 1 victim is a child or a vulnerable person
268.14, 268.15	The victim is a child or a vulnerable person
268.16, 268.19, 268.21(1)	At least 1 victim is a child or a vulnerable person
268.24	
268.25, 268.26, 268.27, 268.28	At least 1 victim is a child or a vulnerable person
268.38(1)	The offence causes death
268.40(1)	
268.41, 268.42, 268.43, 268.44	The perpetrator's conduct results in death

268.47(1)	
268.47(2)	At least 1 victim is a child or a vulnerable person
268.48(1)	
268.48(2)	At least 1 victim is a child or a vulnerable person
268.49(1)	
268.50, 268.55, 268.56	The offence causes death
268.59, 268.60	The victim is a child or a vulnerable person
268.61, 268.64	At least 1 victim is a child or a vulnerable person
268.65	The conduct results in the death of any of the persons referred to in paragraph (a) of the provision
268.70, 268.71(1)	
268.71(2), 268.73	At least 1 victim is a child or a vulnerable person
268.76(2)	
268.82, 268.83	The victim is a child or a vulnerable person
268.84, 268.87	At least 1 victim is a child or a vulnerable person
268.90(1)	
268.91	The offence causes death
268.92(1)	
268.92(2)	At least 1 victim is a child or a vulnerable person
268.93(1)	
268.97, 268.98	The attack results in death
270.3, 270.5(1)	The victim is a child or a vulnerable person
270.5(2)	At least 1 victim is a child or a vulnerable person
270.6 as in force before 8 March 2013	The victim is a child or a vulnerable person

270.6A(1)	The victim is a child or a vulnerable person
270.6A(2)	At least 1 victim is a child or a vulnerable person
270.7, 270.7B, 270.7C, 271.2, 271.3	The victim is a child or a vulnerable person
271.4	
271.5, 271.6	The victim is a child or a vulnerable person
271.7	
271.7B, 271.7C, 271.7D, 271.7E	The victim is a child or a vulnerable person
271.9 as in force before 23 May 2018	The victim is a child or a vulnerable person
272.8, 272.9	The victim is a child under 14 years or The victim is a child aged 14 years or over and the offender is at least 5 years older than the victim
272.10	
272.11	The victim is a child under 14 years or The victim is a child aged 14 years or over and the offender is at least 5 years older than the victim
272.12, 272.13, 272.14, 272.15, 272.18, 272.19, 272.20	
273.5 as in force before 21 September 2019	
273.6, 273.7, 273A.1	
274.2	The victim is a child or a vulnerable person

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471.16 and 471.17  
as in force before  
21 September 2019

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471.19, 471.20,  
471.22, 471.24,  
471.25

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471.26                      The victim is a child under 14 years  
or  
The victim is a child aged 14 years or over and the  
offender is at least 5 years older than the victim

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474.19 and 474.20  
as in force before  
21 September 2019

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474.22, 474.22A,  
474.23, 474.24A

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474.25A                      The victim is a child under 14 years  
or  
The victim is a child aged 14 years or over and the  
offender is at least 5 years older than the victim

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474.25B, 474.25C,  
474.26, 474.27

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474.27A                      The victim is a child under 14 years  
or  
The victim is a child aged 14 years or over and the  
offender is at least 5 years older than the victim

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**4        *Crimes (Internationally Protected Persons) Act 1976***  
***(Commonwealth)***

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Provision of Act	Qualification
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8(1)

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8(2)	The attack causes death or The attack causes grievous bodily harm, but not death, and the victim is a child or a vulnerable person
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**4 Customs Act 1901 (Commonwealth)**

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**Provision of Act      Qualification**

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233BAB                      The items are items of child abuse material

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**Schedule 3 Presumed disqualifying offences**

regulation 7

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**1 Criminal Code**


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**Provision of Act      Qualification**


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51, 53, 54, 55, 73,  
74, 75

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127, 131A      The victim is a child aged 14 years or over and the  
offender is less than 5 years older than the victim

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132      The circumstances mentioned in subsections (2)(a), (b),  
(c), (e) or (f) exist and the victim is a child aged 14 years  
or over and the offender is less than 5 years older than  
the victim

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134      The victim is not a child or a vulnerable person

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160, 161A, 162,  
170

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174E      The victim is not a child or a vulnerable person

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174F(1)      The offender did not intend to cause death

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174FA

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174FC(1)      The offender did not intend to cause death

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175, 176, 177, 181,  
182      The victim is not a child or a vulnerable person

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183, 184      The victim is a person under care

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185, 186B, 186C      The victim is not a child or a vulnerable person

188	<p>The circumstances mentioned in subsection (2)(k) exist and:</p> <p>(a) the victim is a child aged 14 years or over and the offender is less than 5 years older than the victim; or</p> <p>(c) the victim is not a child or a vulnerable person or</p> <p>The circumstances mentioned in subsection (2)(m) exist and the victim is not a child or a vulnerable person</p>
192, 192B, 193	The victim is not a child or a vulnerable person
193B	The circumstances mentioned in subsections (2) or (3) exist
194, 195	<p>The victim is a child or a vulnerable person and is a relative of the offender</p> <p>or</p> <p>The victim is not a child or a vulnerable person and is not a relative of the offender</p>
202B(1)	The victim is not a vulnerable person
202D	The victim is not a child or a vulnerable person
208AB	The image is of a child or a vulnerable person
228AH	The person intended to be deceived is a child or a vulnerable person
228AK	The person intended to be deceived is a child or a vulnerable person
253	The offence involves or affects a child or a vulnerable person
254	The offence involves or affects a child or a vulnerable person
284	The person intended to be defrauded is a child or a vulnerable person
<b>2</b>	<b><i>Animal Welfare Act 1999</i></b>
<b>Provision of Act</b>	<b>Qualification</b>

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**3 Summary Offences Act 1923****Provision of Act Qualification**

60, 60A	The person intended to be defrauded is a child or a vulnerable person
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**4 Misuse of Drugs Act 1990****Provision of Act Qualification**

5, 5B, 5C

5D	The person to whom the drug is supplied is a child or a vulnerable person
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6A, 6B	The commission of the offence exposes a child or a vulnerable person to the cultivation of a prohibited plant
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6C, 6D, 6E, 6G

**5 Criminal Code (Commonwealth)****Provision of Act Qualification**

71.3

71.4, 71.5, 71.8	The victim is not a child or a vulnerable person
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71.9, 71.10	The victim is not a child or a vulnerable person or
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	The victim is a child or a vulnerable person and the offender is a relative of the child or person
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73.2	The victim is not a child or a vulnerable person
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73.3	None of the victims is a child or a vulnerable person
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73.3A	None of the persons to whom the conduct constituting the offence of people smuggling relates, or would relate, is a child or a vulnerable person
73.8, 73.9, 73.10	The offence affects or involves a child or a vulnerable person
80.1, 80.1AA, 80.1AC, 80.2, 80.2A, 80.2B, 80.2C, 80.2D, 82.3, 82.4, 82.5, 82.6, 82.7, 82.8, 82.9, 83.1, 83.2, 83.3, 91.1, 91.2, 91.3, 91.6, 91.8, 91.11, 91.12, 92.2, 92.3, 92.4, 92.7, 92.8, 92.9, 92.10, 92A.1, 101.1, 101.2, 101.4, 101.5, 101.6, 102.2, 102.3, 102.4, 102.5, 102.6, 102.7, 102.8, 103.1, 103.2,	
104.2 as in force before 15 December 2005	
104.3 and 104.4 as in force before 15 December 2005	The victim is not a child or a vulnerable person
115.2	
115.3, 115.4	The victim is not a child or a vulnerable person
119.1, 119.4, 122.1, 122.2, 122.3, 122.4	
134.1, 134.2, 135.1(1), 135.2, 135.4(1), 136.1, 137.1, 137.1A, 137.2	The offence affects or involves a child or a vulnerable person
142.2	The offender causes a detriment to a child or a vulnerable person

144.1, 145.1, 145.2, 145.4, 145.5, 148.1(1), 148.2(1) or (3)	The offence affects or involves a child or a vulnerable person
268.4, 268.10	None of the victims is a child or a vulnerable person
268.11, 268.12	
268.13	None of the victims is a child or a vulnerable person
268.14, 268.15	The victim is not a child or a vulnerable person
268.16	None of the victims is a child or a vulnerable person
268.17, 268.18	
268.19	None of the victims is a child or a vulnerable person
268.20	
268.21(1)	None of the victims is a child or a vulnerable person
268.21(2), 268.22, 268.23	
268.25, 268.26, 268.27, 268.28	None of the victims is a child or a vulnerable person
268.29, 268.30, 268.31, 268.32, 268.33, 268.34, 268.35, 268.36, 268.37	
268.38(1)	The offence does not cause death
268.38(2), 268.39, 268.40(2)	
268.41, 268.42, 268.43, 268.44	The perpetrator's conduct does not result in death
268.45, 268.46	
268.47(2), 268.48(2)	None of the victims is a child or a vulnerable person
268.49(2)	

268.50	The offence does not cause death
268.51, 268.52, 268.53, 268.54	
268.55, 268.56	The offence does not cause death
268.57, 268.58	
268.59, 268.60	The victim is not a child or a vulnerable person
268.61	None of the victims is a child or a vulnerable person
268.62, 268.63	
268.64	None of the victims is a child or a vulnerable person
268.65	The conduct does not result in the death of any of the persons referred to in paragraph (a) of the provision
268.66, 268.67, 268.68	
268.71(2)	None of the victims is a child or a vulnerable person
268.72	
268.73	None of the victims is a child or a vulnerable person
268.74, 268.75, 268.76(1), 268.77, 268.78, 268.79, 268.80, 268.81	
268.82, 268.83	The victim is not a child or a vulnerable person
268.84	None of the victims is a child or a vulnerable person
268.85, 268.86	
268.87	None of the victims is a child or a vulnerable person
268.88, 268.89, 268.90(2)	
268.91	The offence does not cause death
268.92(2)	None of the victims is a child or a vulnerable person

268.93(2), 268.94, 268.95, 268.96	
268.97, 268.98	The attack does not result in death
268.99, 268.100, 268.101	
270.3, 270.5(1)	The victim is not a child or a vulnerable person
270.5(2)	None of the victims is a child or a vulnerable person
270.6 as in force before 8 March 2013	The victim is not a child or a vulnerable person
270.6A(1)	The victim is not a child or a vulnerable person
270.6A(2)	None of the victims is a child or a vulnerable person
270.7, 270.7B, 270.7C, 271.2, 271.3, 271.5, 271.6, 271.7B, 271.7C, 271.7D, 271.7E	The victim is not a child or a vulnerable person
271.9 as in force before 23 May 2018	The victim is not a child or a vulnerable person
272.8, 272.9, 272.11	The victim is a child aged 14 years or over and the offender is less than 5 years older than the victim
273B.4	
274.2	The victim is not a child or a vulnerable person
302.2, 303.4, 304.1, 305.3	
305.4	The commission of the offence exposes a child or a vulnerable person to the manufacture of a controlled drug
306.2	
306.3, 306.4	The commission of the offence exposes a child or a vulnerable person to a controlled precursor



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307.1, 307.11,  
308.3, 309.2, 309.3,  
309.4, 309.7, 309.8,  
309.10, 309.11,  
309.12, 309.13,  
309.14, 309.15,  
310.2, 310.3

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372.1, 372.1A, 372.2	The offence involves or affects a child or a vulnerable person
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471.26	The victim is a child aged 14 years or over and the offender is less than 5 years older than the victim
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474.17A	The victim is a child or a vulnerable person
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474.25A, 474.27A	The victim is a child aged 14 years or over and the offender is less than 5 years older than the victim
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480.4	The person to whom the information relates is a child or a vulnerable person
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**6 *Crimes (Internationally Protected Persons) Act 1976***  
**(Commonwealth)**

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<b>Provision of Act</b>	<b>Qualification</b>
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8(2)	The attack causes grievous bodily harm, but not death, and the victim is not a child or a vulnerable person
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## **Schedule 4 Proof of identity documentation**

regulation 10

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### **Part 1 – Category A documents**

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- 1 Any of the following documents:
    - (a) an Australian birth certificate;
    - (b) an Australian citizenship certificate.
  - 2 Any of the following documents that is in force:
    - (a) an Australian passport;
    - (b) an Australian visa (supported by a foreign passport);
    - (c) a document issued by the Commonwealth as evidence of immigration status.
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### **Part 2 – Category B documents**

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- 1 Any of the following documents:
    - (a) an Australian birth certificate;
    - (b) an Australian marriage certificate.
  - 2 Any of the following documents that is in force:
    - (a) an Australian passport;
    - (b) a document issued by the Commonwealth as evidence of immigration status;
    - (c) a foreign passport with a valid entry stamp or visa;
    - (d) an identity card, licence or permit issued by a State or Territory or the Commonwealth that contains the applicant's photograph and date of birth.
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### Part 3 – Category C documents

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- 1 Any of the following documents that contains the applicant's full name and is in force
  - (a) a non-citizen travel document issued by the Commonwealth;  
*Examples for paragraph (a)*  
*Certificate of Identity, Convention Travel Document*
  - (b) an identity document issued by a foreign government;  
*Example for paragraph (b)*  
*A foreign driver's licence*
  - (c) a debit or credit card issued by an Australian financial institution;
  - (d) an Australian private health insurance card;
  - (e) an identity card issued by an Australian trade association;
  - (f) an identity card issued by a State or Territory or the Commonwealth evidencing an entitlement to a government benefit.  
*Examples for paragraph (f)*  
*Medicare card, Health Care card*
  
- 2 Any of the following documents that contains the applicant's full name, is in force and contains a photograph of the applicant:
  - (a) an identity card, licence or permit issued by a State or Territory or the Commonwealth that contains the applicant's date of birth;
  - (b) a student identification card issued by an Australian educational institution.
  
- 3 Any of the following documents that contains the applicant's full name and was issued no more than 12 months before the date of the application:
  - (a) a document issued by a State or Territory or the Commonwealth evidencing an entitlement to a government benefit;  
*Example for paragraph (a)*  
*Centrelink statement*
  - (b) a document evidencing enrolment with the Australian Electoral Commission;
  - (c) a credit reference check issued by a credit reporting agency;

- (d) a certified academic transcript from an Australian educational institution;
- (e) a bank statement issued by an Australian financial institution;
- (f) a rates assessment notice issued by a State, Territory or local government council;
- (g) a document issued by the Australian Taxation Office which contains the applicant's tax file number;

*Example for paragraph (g)*

*A taxation assessment notice*

- (h) an Australian utility bill that contains the applicant's residential address.
- 4 A statutory declaration confirming the applicant's identity that:
- (a) is made no more than 12 months before the date of the application; and
  - (b) is made by a person who:
    - (i) has known the applicant for at least 12 months; and
    - (ii) is not a relative of the applicant; and
  - (c) has a photograph of the applicant attached which has the applicant's name written on the back and is signed by the person making the declaration; and
  - (d) contains the following information:
    - (i) the applicant's current name and any previous names known to the person making the declaration;
    - (ii) the applicant's current residential address;
    - (iii) the applicant's date of birth;
    - (iv) the full name and contact details of the person signing the declaration.
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## ENDNOTES

### 1 KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
Gaz = Gazette  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2 LIST OF LEGISLATION

***National Disability Insurance Scheme (Worker Clearance) Regulations 2021 (SL No. 5 2021)***

Notified	2 June 2021
Commenced	1 July 2021 (r 2)

***Criminal Code Amendment (Property Offences) Act 2022 (Act No. 24, 2022)***

Assent	31 October 2022
Commenced	30 April 2023 (Gaz G8, 13 April 2023, p 1)

### 3 LIST OF AMENDMENTS

sch 3          amd Act No. 24, 2022, s 35