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# Governor’s Instruments

## Regulations

South Australia

### Children and Young People (Safety) (Covid-19 Exemption) Variation Regulations 2020

under the *Children and Young People (Safety) Act 2017*

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**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Children and Young People (Safety) (Covid-19 Exemption) Variation Regulations 2020*.

**2—Commencement**

These regulations come into operation on the day on which they are made.

**3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

**Part 2—Variation of *Children and Young People (Safety) Regulations 2017***

**4—Insertion of regulation 31A**

After regulation 30 insert:

**31A—Exemption from requirement to be assessed before employment in licensed children's residential facility**

 (1) Pursuant to section 170(2)(a) of the Act, the following persons and classes of persons are exempt from the operation of section 107(1) of the Act:

 (a) a public sector employee within the meaning of the [*Public Sector Act 2009*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Public%20Sector%20Act%202009) (not being a person who is a prohibited person under the [*Child Safety (Prohibited Persons) Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Child%20Safety%20(Prohibited%20Persons)%20Act%202016));

 (b) any other person, or class of persons, determined by the Chief Executive by written instrument to be included in the ambit of this paragraph.

 (2) This regulation expires on 6 February 2021.

**5—Insertion of regulation 34A**

After regulation 34 insert:

**34A—Exemption from requirement to be assessed before employment in certain residential facilities**

 (1) Pursuant to section 170(2)(a) of the Act, the following persons and classes of persons are exempt from the operation of section 110A(1) of the Act:

 (a) a public sector employee within the meaning of the [*Public Sector Act 2009*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Public%20Sector%20Act%202009) (not being a person who is a prohibited person under the [*Child Safety (Prohibited Persons) Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Child%20Safety%20(Prohibited%20Persons)%20Act%202016));

 (b) any other person, or class of persons, determined by the Chief Executive by written instrument to be included in the ambit of this paragraph.

 (2) This regulation expires on 6 February 2021.

**Note—**

As required by section 10AA(2) of the [*Subordinate Legislation Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Subordinate%20Legislation%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 20 November 2020

No 303 of 2020

**All instruments appearing in this gazette are to be considered official, and obeyed as such**

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