

# Queensland



## Subordinate Legislation 2001 No. 35

### *Commission for Children and Young People Act 2000*

# COMMISSION FOR CHILDREN AND YOUNG PEOPLE REGULATION 2001

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## **1 Short title**

This regulation may be cited as the *Commission for Children and Young People Regulation 2001*.

## **2 Commencement**

This regulation commences on 1 May 2001.

## **3 Definitions**

The dictionary in schedule 3 defines particular words used in this regulation.

## **4 Application fee for suitability notice—Act, ss 100, 101 and 128**

(1) For sections 100, 101 and 128<sup>1</sup> of the Act, the prescribed fee is \$40.

(2) However, if the application under section 100, 101 or 128 is for a suitability notice stating whether a person is a suitable person for child-related employment that is work carried out voluntarily and without financial reward, no fee is payable.

## **5 Application fee for cancellation of suitability notice—Act, s 118**

For section 118<sup>2</sup> of the Act, the prescribed fee is \$40.

## **6 Documents relating to proof of employee's identity—Act, s 100**

(1) For section 100 of the Act, the employer must sight 1 primary identification document, and 1 secondary identification document, for the employee.

(2) At least 1 of the documents sighted under subsection (1) must show the employee's signature.

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1 Sections 100 (Application for notice—regulated employment), 101 (Application for notice—regulated business) and 128 (Application for suitability notice for current employee) of the Act

2 Section 118 (Cancellation of suitability notice on application) of the Act

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(3) If the employee's name in a document sighted under subsection (1) differs from the employee's current name, the employer also must sight—

- (a) an official document evidencing the employee's change of name;  
or
- (b) a document the commissioner considers provides sufficient evidence of the employee's change of name.

*Examples for subsection (3)(a) of an official document evidencing a change of name—*

- 1. marriage certificate
- 2. deed poll

## **7 Documents relating to proof of applicant's identity—Act, s 101**

(1) For section 101 of the Act, the prescribed person must sight 1 primary identification document, and 1 secondary identification document, for the applicant.

(2) At least 1 of the documents sighted under subsection (1) must show the applicant's signature.

(3) If the applicant's name in a document sighted under subsection (1) differs from the applicant's current name, the prescribed person also must sight—

- (a) an official document evidencing the applicant's change of name;  
or
- (b) a document the commissioner considers provides sufficient evidence of the applicant's change of name.

*Examples for subsection (3)(a) of an official document evidencing a change of name—*

- 1. marriage certificate
- 2. deed poll

## **SCHEDULE 1**

### **PRIMARY IDENTIFICATION DOCUMENTS**

sections 6 and 7

- birth certificate
- current Australian driver licence containing a photograph of the employee or applicant
- international travel document
- citizenship certificate
- visa or entry permit under the *Migration Act 1958 (Cwlth)*
- current consular identity document containing a photograph of the employee or applicant
- a document the commissioner considers provides sufficient identification of the employee or applicant

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## **SCHEDULE 2**

### **SECONDARY IDENTIFICATION DOCUMENTS**

sections 6 and 7

- recent account or notice issued by a public utility

*Examples—*

1. council rates notice
2. electricity account statement
3. gas account statement
4. land valuation notice
5. telephone account statement

- recent document evidencing electoral enrolment
- identification card issued by the Commonwealth or a State as evidence of the employee's or applicant's entitlement to a financial benefit

*Examples—*

1. Commonwealth seniors health card
2. health care card
3. medicare card
4. pensioner concession card
5. repatriation health card

- current account card, or current credit card, issued by a financial institution<sup>3</sup>
- account statement issued by a financial institution that shows the statement's date of issue to be less than 1 year before the statement is sighted
- passbook issued by a financial institution that shows the passbook's last entry to be less than 1 year before the passbook is sighted

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3 See *Acts Interpretation Act 1954*, section 36, definition "financial institution".

## SCHEDULE 2 (continued)

- a document the commissioner considers provides sufficient identification of the employee or applicant

## SCHEDULE 3

### DICTIONARY

#### section 3

**“Australian driver licence”** see *Transport Operations (Road Use Management) Act 1995*.

**“Australian electoral roll”** means an electoral roll maintained under a law of the Commonwealth or a State.

**“birth certificate”**, for an employee or applicant, means a certified copy of a birth certificate of the employee or applicant containing the name of at least one of the employee’s or applicant’s parents.

**“citizenship certificate”**, for an employee or applicant, means a certificate, declaration or other instrument of the employee’s or applicant’s nationality issued under the *Australian Citizenship Act 1948 (Cwlth)*.

**“consular identity document”** is a document showing the employee or applicant is a member of a consular post.

**“document evidencing electoral enrolment”**, for an employee or applicant, means—

- (a) a document that is part of an Australian electoral roll and sets out the employee’s or applicant’s name; or
- (b) a document issued by an entity responsible for maintaining an Australian electoral roll that shows the employee’s or applicant’s name is set out in an Australian electoral roll.

**“international travel document”** means—

- (a) a current passport; or
- (b) an expired passport that expired less than 2 years before the expired passport is sighted; or
- (c) another current identity document, having the characteristics of a passport, issued by a government, the United Nations or an agency of the United Nations for the purposes of international travel; or

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SCHEDULE 3 (continued)

- (d) another expired identity document, having the characteristics of a passport, issued by a government, the United Nations or an agency of the United Nations for the purposes of international travel that expired less than 2 years before the expired passport is sighted.

**“member of a consular post”**—see *Consular Privileges and Immunities Act 1972 (Cwlth)*.

**“primary identification document”** means a document mentioned in schedule 1.

**“recent”**, for a document being sighted, means the issuing date of the document is less than 1 year before the document is sighted.

**“secondary identification document”** means a document mentioned in schedule 2.

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ENDNOTES

1. Made by the Governor in Council on 19 April 2001.
2. Notified in the gazette on 20 April 2001.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Premier and Cabinet.