



*Public Guardian Act 2014*

# Public Guardian Regulation 2014

Current as at 1 July 2014

**Warning—Some provisions of this legislation are not in operation. These provisions are italicised. For details, see the List of legislation.**

## Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at [www.legislation.qld.gov.au/Leg\\_Info/information.htm](http://www.legislation.qld.gov.au/Leg_Info/information.htm).
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

# Public Guardian Regulation 2014

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	3
2	Commencement . . . . .	3
<b>Part 2</b>	<b>Visitable sites</b>	
3	Visitable sites—Act, s 39 . . . . .	3
<b>Part 4</b>	<b>Amendment of Child Protection Regulation 2011</b>	
6	Regulation amended . . . . .	4
7	Amendment of s 6 (Procedure about reporting matter of concern)	4
8	Replacement of s 10 (Particulars to be included in report of harm to child) . . . . .	4
	10 Information to be included in report to chief executive	4
<b>Schedule 1</b>	<b>Visitable sites</b> . . . . .	6
 <b>Endnotes</b>		
1	Index to endnotes . . . . .	8
2	Key . . . . .	8
3	Table of reprints . . . . .	8
4	List of legislation . . . . .	9
5	List of annotations . . . . .	9



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# Public Guardian Regulation 2014

[as amended by all amendments that commenced on or before 1 July 2014]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Public Guardian Regulation 2014*.

### 2 Commencement

- (1) This regulation, other than the provisions mentioned in subsection (2), commences on 1 July 2014.
- (2) Sections 7 and 8 commence on the commencement of the *Child Protection Reform Amendment Act 2014*, section 6.

## Part 2 Visitable sites

### 3 Visitable sites—Act, s 39

- (1) For section 39 of the Act, definition *visitable site*, the places stated in schedule 1 are prescribed.
- (2) A reference in schedule 1 to the department that is mainly responsible for public health includes a reference to a Hospital and Health Service under the *Hospital and Health Boards Act 2011*.



- (e) *particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;*
- (f) *particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.*

## Schedule 1      Visitable sites

### section 3

*Note—*

An adult, with impaired capacity for a personal matter or a financial matter or with an impairment, who lives or receives services at a place prescribed in this schedule is a consumer. See the Act, section 39, definition *consumer*, paragraph (c).

A place, other than a private dwelling house, that is any of the following—

- (a) a place—
  - (i) where an adult with impaired capacity for a personal matter or a financial matter, or with an impairment, lives; and
  - (ii) that is wholly or partly funded by—
    - (A) the department that is mainly responsible for disability services; or
    - (B) the department that is mainly responsible for public health;
- (b) a place where an adult with impaired capacity for a personal matter or a financial matter, or with an impairment—
  - (i) lives; and
  - (ii) receives services from—
    - (A) the department that is mainly responsible for disability services; or
    - (B) an entity that receives financial assistance from the department that is mainly responsible for disability services, or from the department that is mainly responsible for public health, to supply the service;

- (c) a place, other than an aged care facility, where an adult with an impairment—
  - (i) lives; and
  - (ii) receives services from the department that is mainly responsible for public health;
- (d) a place—
  - (i) where an adult with impaired capacity for a personal matter or a financial matter, or with an impairment, lives; and
  - (ii) that is part of premises to which one of the following applies—
    - (A) a residential service conducted in the premises is registered under the *Residential Services (Accreditation) Act 2002* and personal care services are provided in the premises;
    - (B) there is a current application for level 3 accreditation under that Act of a residential service conducted in the premises;
    - (C) a residential service conducted in the premises is accredited at level 3 under that Act.

## Endnotes

### 1 Index to endnotes

	Page
2 Key .....	8
3 Table of reprints .....	8
4 List of legislation .....	9
5 List of annotations .....	9

### 2 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory

requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Current as at 1 July 2014	Amendments included none	Notes RA ss 7(1)(k), 40
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## 4 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### **Public Guardian Regulation 2014 SL No. 105**

made by the Governor in Council on 19 June 2014

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 20 June 2014

ss 1–2 commenced on date of notification

ss 7, 8 commence on the commencement of Child Protection Reform Amendment Act 2014 s 6 (see s 2(2))

remaining provisions commenced 1 July 2014 (see s 2)

exp 1 September 2024 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

## 5 List of annotations

### **PART 3—AMENDMENT OF ADOPTION REGULATION 2009**

pt 3 (ss 4–5) om RA ss 7(1)(k), 40

### **PART 4—AMENDMENT OF CHILD PROTECTION REGULATION 2011**

**Amendment of s 15 (Report about information recorded under s 14)**

s 9 om RA ss 7(1)(k), 40

**PART 5—AMENDMENT OF COMMISSION FOR CHILDREN AND YOUNG PEOPLE AND CHILD GUARDIAN REGULATION 2011**

**pt 5 (ss 10–14)** om RA ss 7(1)(k), 40

**PART 6—AMENDMENT OF CORRECTIVE SERVICES REGULATION 2006**

**pt 6 (ss 15–16)** om RA ss 7(1)(k), 40

**PART 7—AMENDMENT OF GUARDIANSHIP AND ADMINISTRATION REGULATION 2012**

**pt 7 (ss 17–19)** om RA ss 7(1)(k), 40

**PART 8—AMENDMENT OF LEGAL PROFESSION REGULATION 2007**

**pt 8 (ss 20–21)** om RA ss 7(1)(k), 40

**PART 9—AMENDMENT OF QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL REGULATION 2009**

**pt 9 (ss 22–24)** om RA ss 7(1)(k), 40

**PART 10—AMENDMENT OF STATUTORY BODIES FINANCIAL ARRANGEMENTS REGULATION 2007**

**pt 10 (ss 25–26)** om RA ss 7(1)(k), 40

**PART 11—AMENDMENT OF YOUTH JUSTICE REGULATION 2003**

**pt 11 (ss 27–34)** om RA ss 7(1)(k), 40

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