

LEGISLATIVE COUNCIL

**SOCIAL SERVICES REGULATION AMENDMENT (CHILD SAFETY,
COMPLAINTS AND WORKER REGULATION) BILL 2025**

(Amendments to be proposed in Committee by ANASINA GRAY-BARBERIO)

1. Clause 1, page 3, lines 24 to 30, omit all words and expressions on these lines.
2. Clause 1, page 4, lines 1 to 6, omit all words and expressions on these lines.
3. Clause 1, page 4, lines 13 to 25, omit all words and expressions on these lines.
4. Clause 1, page 5, lines 1 to 9, omit all words and expressions on these lines.
5. Part heading preceding clause 20, omit this heading.
6. Clause 20, omit this clause.
7. Clause 21, omit this clause.
8. Clause 22, omit this clause
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10. Clause 24, omit this clause.
11. Clause 25, omit this clause.
12. Part heading preceding clause 150, omit this heading.
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- 175. Clause 312, omit this clause.
- 176. Clause 313, omit this clause.
- 177. Clause 314, omit this clause.
- 178. Clause 315, omit this clause.
- 179. Clause 316, omit this clause.
- 180. Clause 317, omit this clause.
- 181. Clause 318, omit this clause.
- 182. Clause 319, omit this clause.
- 183. Clause 321, after line 32 insert—

"Regulator means the Social Services Regulator established under section 4 of the **Social Services Regulation Act 2021**;"

- 184. Clause 323, omit this clause.
- 185. Clause 324, page 312, line 16, omit "under Part 6" and insert "by the Regulator".
- 186. Clause 324, page 312, line 20, omit "under Part 6".
- 187. Clause 324, page 312, lines 29 to 33, omit all words and expressions on these lines and insert—

"(i) details of any action taken to prohibit the person from being employed or engaged as an out of home carer or any conditions imposed on the person in relation to that employment or engagement;"

- 188. Clause 324, page 313, line 18, omit all words and expressions on these lines.
- 189. Clause 326, lines 7 to 8, omit "**Criminal liability of officers of bodies corporate—accessorial liability**" and insert "**New sections 272A and 272B inserted**".
- 190. Clause 326, line 9, omit "272(2)(a)" and insert "272".
- 191. Clause 326, line 11, omit all words and expressions on this line and insert—

"272A Criminal liability of officers of bodies corporate—accessorial liability

- (1) If a body corporate commits an offence against section 250D(2), (3) or (4), an officer of the body corporate also commits an offence against the provision if the officer—
 - (a) authorised or permitted the commission of the offence by the body corporate; or
 - (b) was knowingly concerned in any way (whether by act or omission) in the commission of the offence by the body corporate.
- (2) Without limiting any other defence available to the officer, an officer of a body corporate may rely on a defence that would be available to the body corporate if it were charged with the offence with which the officer is charged and, in doing so, the officer bears the same burden of proof that the body corporate would bear.
- (3) An officer of a body corporate may commit an offence against section 250D(2), (3) or (4) whether or not the body corporate has been prosecuted for, or found guilty of, an offence against that provision.
- (4) In this section—

body corporate has the same meaning as corporation has in section 57A of the Corporations Act;

officer, in relation to a body corporate, means—

- (a) a person who is an officer (as defined by section 9 of the Corporations Act) of the body corporate; or
 - (b) a person (other than a person referred to in paragraph (a)), by whatever name called, who is concerned in, or takes part in, the management of the body corporate.
- (5) This section does not affect the operation of Subdivision (1) of Division 1 of Part II of the **Crimes Act 1958**.

272B Offences by unincorporated bodies, partnerships etc.

- (1) For the purposes of section 250D(2), (3) and (4), a reference to an ***out of home care service*** or a ***secure welfare service*** who may be guilty of an offence against the subsection includes an unincorporated body or association and a partnership and is to be taken to be—
 - (a) in the case of an unincorporated body or association, a reference to each member of the committee of management of the body or association who knew of, or knowingly authorised or permitted, the commission of the offence; and
 - (b) in the case of a partnership, a reference to each member of the partnership who knew of, or knowingly authorised or permitted, the commission of the offence.
- (2) If, in a proceeding for an offence against section 250D(2), (3) or (4), it is necessary to establish the state of mind of an unincorporated body or association or a partnership in relation to particular conduct, it is sufficient to show that—

- (a) the conduct was engaged in by an employee or agent of the unincorporated body or association or the partnership within the scope of the employee's or agent's actual or apparent authority; and
- (b) the employee or agent had that state of mind.".'.

- 192. Clause 327, omit this clause.
- 193. Part heading and Division heading preceding clause 329, omit these headings.
- 194. Clause 329, omit this clause.
- 195. Clause 330, omit this clause.
- 196. Clause 331, omit this clause.
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- 260. Clause 395, omit this clause.
- 261. Clause 396, omit this clause.
- 262. Division heading preceding clause 397, omit this heading.
- 263. Clause 397, omit this clause.
- 264. Clause 398, omit this clause.
- 265. Part heading, Division heading and Subdivision heading preceding clause 399, omit these headings.
- 266. Clause 399, omit this clause.
- 267. Subdivision heading preceding clause 400, omit this heading.
- 268. Clause 400, omit this clause.
- 269. Clause 401, omit this clause.
- 270. Clause 402, omit this clause.
- 271. Subdivision heading preceding clause 403, omit this heading.
- 272. Clause 403, omit this clause.
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- 275. Clause 406, omit this clause.
- 276. Subdivision heading preceding clause 407, omit this heading.
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- 281. Subdivision heading preceding clause 411, omit this heading.
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- 284. Subdivision heading preceding clause 413, omit this heading.
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- 287. Subdivision heading preceding clause 415, omit this heading.
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- 289. Subdivision heading preceding clause 416, omit this heading.
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- 296. Clause 422, omit this clause.
- 297. Subdivision heading preceding clause 423, omit this heading.
- 298. Clause 423, omit this clause.
- 299. Clause 424, omit this clause.
- 300. Division heading and Subdivision heading preceding clause 425, omit these headings.
- 301. Clause 425, omit this clause.
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- 312. Clause 436, omit this clause.
- 313. Subdivision heading preceding clause 437, omit this heading.
- 314. Clause 437, omit this clause.
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- 321. Clause 444, omit this clause.
- 322. Chapter heading and Part heading preceding clause 453, omit these headings.
- 323. Clause 453, omit this clause.
- 324. Clause 454, omit this clause.
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- 332. Clause 462, omit this clause.
- 333. Clause 463, omit this clause.
- 334. Part heading preceding clause 464, omit this heading.
- 335. Clause 464, omit this clause.