

## FACT SHEET

### ***Registration to Work with Vulnerable People Amendment Bill 2025***

This Bill amends the *Registration to Work with Vulnerable People Act 2013* (the RWVP Act) to respond to agreement from the 15 August 2025 meeting of the Standing Council of Attorneys-General (SCAG) that States and Territories will:

urgently work towards implementation, by the end of 2025, of mutual recognition of negative notices (Working With Children Checks (WWCC) declines and revocations) so that a person denied a WWCC, or whose WWCC has been revoked, in one jurisdiction cannot be granted or hold a WWCC in another jurisdiction.

Tasmania's RWVP Act currently provides that a person denied registration, or who has had their registration cancelled, in another jurisdiction cannot apply for registration in Tasmania for a period of 5 years unless there has been a significant and exceptional change in circumstances.

Where a person is already registered in Tasmania, an interstate decision such as to suspend, deny or cancel their equivalent registration would currently result in a risk assessment under the Act, including suspension where appropriate pending a final decision.

The Bill strengthens the current framework in accordance with the SCAG agreement.

#### **Summary of the Amendments**

- Section 18 currently provides that in limited circumstances a person can engage in regulated activities while their application for registration is being processed, such as under supervision, unless the Registrar determines otherwise (known as an interim bar). The Bill amends the section to both include the current grounds of making a determination, and add a ground that the person is subject to a determination, under a corresponding law, that is equivalent to a determination under subsection (4). This allows recognition of interstate interim bars.
- Section 19 is amended so a person whose registration has been refused, or who has had their registration cancelled, under a corresponding law, may only apply for registration in a category in Tasmania if they are eligible to apply for registration under the corresponding law in the equivalent category that had been refused or cancelled. The amendments also provide that only the refusal or cancellation made in the original jurisdiction is considered by the Registrar, and not the resultant refusals or cancellations made by other jurisdictions mutually recognising the decision of the originating jurisdiction. This is so that the eligibility to re-apply is tied to the original jurisdiction that cancelled the registration or refused an application.
- Section 20 is amended to require applicants to proactively disclose any negative registration decisions made against them in another jurisdiction. This supports the current practice undertaken when an application for registration is considered, where such history is checked.
- A new section 47A is inserted, making it an offence for a registered person to fail to disclose negative registration decisions made under a corresponding law, in addition to the current offence in section 47 of not disclosing certain charges or convictions.

- Section 49 is amended to clarify that, in regards to grounds for suspension or cancellation of registration, the Registrar must suspend a person's registration when conducting an additional risk assessment of the person on the grounds that the person's registration under a corresponding law has been suspended under that corresponding law.
- Section 51 is amended to introduce new subsection (1B) which provides that the Registrar must cancel a person's registration in a category of registration if the Registrar is satisfied that, while the person holds registration in that category under the Act:
  - the person has been refused registration in an equivalent category under a corresponding law; or
  - the person's registration in an equivalent category under a corresponding law has been cancelled.

These amendments are part of a broader framework of reforms currently being led by SCAG in relation to working with children checks. The communique from the meeting held on 15 August (available at <https://www.ag.gov.au/sites/default/files/2025-08/scag-communique-15-august-2025.pdf>) outlines the agreements made by SCAG in relation to these reforms.

### **Commencement**

The Act will commence on the day it receives Royal Assent.