

**Version No. 002**  
**Working with Children Regulations 2006**  
**S.R. No. 29/2006**  
Version as at 1 July 2007

**TABLE OF PROVISIONS**

<i>Regulation</i>	<i>Page</i>
1. Objective	1
2. Authorising provision	1
3. Commencement	1
4. Prescribed form of application for a working with children check—Schedule 1	2
5. Prescribed identifying information—Schedule 2	2
6. Working with children check card—Schedules 3 and 4	2
7. Application fees	3
8. Secretary may reduce, waive or refund payment of fees	3
9. Prescribed body	3
10. Findings of a prescribed kind	4
11. Prescribed persons	4
<hr/>	
<b>SCHEDULES</b>	<b>5</b>
SCHEDULE 1—Application for Working with Children Check	5
SCHEDULE 2—Working with Children Check—Identifying Information	9
SCHEDULE 3—Working with Children Check—Employee Working with Children Check Card	12
SCHEDULE 4—Working with Children Check—Volunteer Working with Children Check Card	13
<hr/> <hr/>	
<b>ENDNOTES</b>	<b>14</b>
1. General Information	14
2. Table of Amendments	15
3. Explanatory Details	16

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**Version No. 002**  
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**S.R. No. 29/2006**

Version as at 1 July 2007

**1. Objective**

The objective of these Regulations is to—

- (a) prescribe a form of application for a working with children check; and
- (b) prescribe identifying information to be included with an application; and
- (c) prescribe application fees and to make provision for their waiver, reduction or refund; and
- (d) prescribe forms of working with children check cards; and
- (e) prescribe a body for the purposes of section 10(3)(b), 11(1)(b), 14(1)(a) and 21(1)(b) of the **Working with Children Act 2005**; and
- (f) prescribe findings of a prescribed body for the purposes of section 14(1)(a) of the **Working with Children Act 2005**; and
- (g) prescribe persons for the purposes of section 43(b) of the **Working with Children Act 2005**.

**2. Authorising provision**

These Regulations are made under section 49 of the **Working with Children Act 2005**.

**3. Commencement**

These Regulations come into operation on 3 April 2006.

**4. Prescribed form of application for a working with children check—Schedule 1**

For the purposes of section 10 of the **Working with Children Act 2005**, an application is in the prescribed form if it is the form set out in Schedule 1.

**5. Prescribed identifying information—Schedule 2**

For the purposes of section 10(2)(c) of the **Working with Children Act 2005**, identifying information of a prescribed kind is—

- (a) a recent passport sized photograph of the applicant; and
- (b) the documents referred to and that meet the requirements of Schedule 2; and
- (c) in the case of identifying information that discloses a name that differs from the name of the applicant in the application, a document that meets the requirements of the Evidence change of name category in Schedule 2.

**6. Working with children check card—Schedules 3 and 4**

For the purposes of section 23(3)(b) of the **Working with Children Act 2005**, a document evidencing the giving of an assessment notice is in the prescribed form if it is a working with children check card as set out in Schedule 3 or Schedule 4.

**7. Application fees**

The prescribed fee for an application under the Act referred to in column 2 of the Table is the fee opposite the application in column 3 of the Table.

**TABLE**

<i>No.</i>	<i>Type of application</i>	<i>Fee</i>
1	An application for a working with children check under section 10 of the Act for child related work that is for profit or gain	\$71.70
2	An application for the replacement of a working with children check card for child related work that is for profit or gain	\$16.40

Reg. 7 Table  
amended by  
S.R. No.  
59/2007 reg. 4.

**8. Secretary may reduce, waive or refund payment of fees**

The Secretary may, before or after an application is made—

- (a) reduce; or
- (b) waive; or
- (c) refund payment in whole or in part—

any application fee set out in the Table to regulation 7.

**9. Prescribed body**

For the purposes of sections 10(3)(b), 11(1)(b), 14(1)(a) and 21(1)(b) of the **Working with Children Act 2005**, the following body is prescribed—

the Victorian Institute of Teaching.

#### 10. Findings of a prescribed kind

For the purposes of section 14(1)(a) of the **Working with Children Act 2005**, a determination by a panel appointed under section 38 of the **Victorian Institute of Teaching Act 2001**—

- (a) imposing conditions, limitations or restrictions on the registration of a teacher; or
- or
- (b) suspending the registration of a teacher; or
- (c) cancelling the registration of a teacher—

is a finding of a prescribed kind.

#### 11. Prescribed persons

For the purposes of section 43(b) of the **Working with Children Act 2005**, the following persons are prescribed—

- (a) the Chief Commissioner of Police, as appointed from time to time under section 4 of the **Police Regulation Act 1958**; and
  - (b) a person who is a member of the police force within the meaning of the **Police Regulation Act 1958** and who has taken and subscribed the oath referred to in section 13(1) of that Act (other than a member who is suspended from duty under that Act).
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## **SCHEDULES**

### **SCHEDULE 1**

Regulation 4

#### **APPLICATION FOR WORKING WITH CHILDREN CHECK**

(Section 10(1) of the **Working with Children Act 2005**)

##### **Application Type**

\*New application

\*Volunteer *or*

\*Employee

\*Change of status from "Volunteer" to "Employee" (*list previous working with children check card number*)

##### **Information to be supplied by applicant in support of application**

1. Name of applicant: (title, first name, middle name, family name)
2. Have you ever been known by any other name? \*Yes/\*No  
(*if Yes, include details including name at birth, previous married name, maiden name and aliases*):
3. Current residential address:
4. Have you lived at any other address in the last 5 years? \*Yes/\*No  
(*if Yes, list details*):
5. Current postal address (if different from address in 3):
6. Contact telephone numbers are:
  
7. I am \*male/\*female
8. My date of birth is:
9. My place of birth is: (Town/City, State, Country)

**Details of child-related work**

10. In which areas of child-related work do you work or volunteer, or intend to work or volunteer?

*(please indicate all areas that apply and indicate whether you will be a volunteer or an employee for each area that does apply)*

Overnight camps for children

Babysitting or childminding services arranged by a commercial agency

Child care services including—

centre based long day care

occasional care

family day care

in home care

outside school hours care

Child protection services

Children's services (that are required to be regulated under the **Children's Services Act 1996**) including kindergartens or preschools

Coaching or private tuition services of any kind for children

Commercial entertainment or party services for children unless they are merely incidental to or in support of other business activities

Commercial gymnasium or play facilities for children unless they are merely incidental to or in support of other business activities

Commercial photography services for children unless they are merely incidental to or in support of other business activities

Commercial talent or beauty competitions for children unless they are merely incidental to or in support of other business activities

Community Services that are established under the **Children and Young Persons Act 1989**

Counselling or other support services for children

Clubs, associations or movements (including of a cultural, recreational or sporting nature) that—

provide services or conduct activities for, or directed at, children,  
*or*

whose membership is mainly comprised of children

Educational institutions for children, specifically—

State schools (including all primary, secondary, technical and special state schools)

Non-Government schools (including all primary, secondary and special non-Government schools)

TAFE colleges and TAFE Divisions of universities providing Victorian Certificate of Education (VCE) or Victorian Certificate of Applied Learning (VCAL) subjects or a combination of both subjects

Adult education providers providing Victorian Certificate of Education (VCE) or Victorian Certificate of Applied Learning (VCAL) subjects or a combination of both subjects

Other institutions providing children's study or training programs

Fostering children

Juvenile Justice places or services including—

remand centres

youth residential centres

youth supervision units

youth training centres

probation services

Paediatric wards of public or private hospitals

Publicly-funded or commercial transport services specifically for children

Refuges or other residential facilities used by children

Religious organisations

School crossing services

Other (*specify*)

11. Which organisations do you work or volunteer with in child-related work?

(a) I do not currently work or volunteer in child-related work for any organisation; *or*

(b) I currently work or volunteer in child-related work with the following organisations:

(*insert relevant name, address and telephone numbers*)



**Identifying information supplied by the Applicant**

*(list documents and attach copies)*

**Identifying photo**

*(please attach a recent passport size photo of yourself)*

**Note:** It is a criminal offence under section 39 of the **Working with Children Act 2005** to provide false or misleading information when applying for a working with children check.

**Authorisation and consent**

I apply to the Secretary for a working with children check to be carried out on me and an assessment notice to be given to me on completion of the check.

- A. I authorise the Secretary to arrange for the conduct of a police record check on me in connection with the consideration of this application and, if an assessment notice is given subsequent to a police record check, to ongoing police record checks on me from time to time whilst an assessment notice on me remains in force.
- B. I consent to the Secretary making enquiries about me to any relevant prescribed body in connection with the consideration of this application and, if an assessment notice is given, to ongoing enquiries being made about me with any relevant prescribed body from time to time whilst an assessment notice on me remains in force and to the disclosure to the Secretary by any relevant prescribed body of any relevant information concerning me.

Dated:

Signature of Applicant:

\*Delete if inapplicable

\_\_\_\_\_

**SCHEDULE 2**

Regulation 5

**WORKING WITH CHILDREN CHECK****IDENTIFYING INFORMATION**

1. Unless 2. applies one document from each of Category A, B and C must be produced.
2. If a document from Category A cannot be produced, 3 documents from Category B, one of which must have a value of at least 40 points, and one document from Category C must be produced.
3. All documents must be current.
4. A minimum of 100 points in total must be produced by each applicant.
5. Unless 2. applies a document cannot be produced to meet the requirements of more than one category.
6. If the name of the applicant in a document from Category A, B or C is different to the name of the applicant in the application, a document referring to the different name from the Category Evidence of change of name must be produced.

<i>Category</i>	<i>Documents</i>	<i>Points Rating</i>
<b>Category A</b>	Australian Passport	70
	Foreign Passport	70
	Australian Driver Licence	40
	Victorian Firearms Licence or equivalent issued in other Australian state or territory	40
<b>Category B</b>	Australian birth certificate	70
	Travel document with same characteristics as a passport or a current visa within the meaning of section 29 of the Migration Act 1958 of the Commonwealth	70
	Certificate of evidence of Australian residence status	70
	Australian Citizenship certificate	70

Working with Children Regulations 2006

**Sch. 2**

S.R. No. 29/2006

<i>Category</i>	<i>Documents</i>	<i>Points Rating</i>
	Card issued by the Commonwealth Department of Veterans Affairs	40
	Centrelink card (containing a reference number)	40
	Identity card issued by an Australian tertiary educational institution	40
	Private security individual operator licence	40
	Medicare Card	25
	Change of name certificate issued by a registry of births, deaths and marriages of an Australian State or territory	25
	Marriage certificate issued by an agency of an Australian State or territory	25
	A credit or account card issued by a bank, credit union or other deposit-taking institution within the meaning of the Banking Act of the Commonwealth	25
	Taxation Assessment Notice	25
	Motor vehicle registration	25
	Superannuation statement	25
	Any document from category A not already produced to meet the requirements of that category	to be rated points in accordance with category A
	Any other document that in the opinion of the Secretary is of a similar character to the documents previously listed in category B	25
<b>Category C</b>	Utilities notice (water rates, electricity, gas or phone account)	25
	Rental contract or receipt issued by landlord, agent or owner	25
	Financial institution statement for current account	25
	Electoral enrolment for current address	25

Working with Children Regulations 2006

S.R. No. 29/2006

<b>Sch. 2</b>
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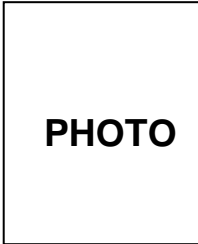


<i>Category</i>	<i>Documents</i>	<i>Points Rating</i>
	Any document from category A or B that has not been produced to meet the requirements of those categories that states the current residential address of the applicant	to be rated points in accordance with the applicable category
	Any other document that in the opinion of the Secretary is of a similar character to the documents previously listed in category C	25
<b>Evidence of change of name</b>	Marriage Certificate	
	Registration of Change of Name issued by a registry of births deaths and marriages	
	Divorce papers	
	Deed poll	
	Any other document that in the opinion of the Secretary is sufficient evidence of a change of name	

**SCHEDULE 3**

Regulation 6

**WORKING WITH CHILDREN CHECK**

**EMPLOYEE WORKING WITH CHILDREN CHECK CARD**

WORKING WITH CHILDREN CHECK	
CARD NO: <b>Card Number</b>	 <b>PHOTO</b>
ISSUED TO: <b>Applicant name</b>	
SIGNATURE: <i>Applicant signature</i>	
EXPIRES ON: <b>DD-MM-YY</b>	
	
 Hologram	

**FRONT**

ISSUED IN VICTORIA
<b>DD-MM-YY</b>
EXPIRY DATE
The person identified on this card has passed a Working with Children Check
If this card is found please contact ( <i>WWCC phone number</i> )


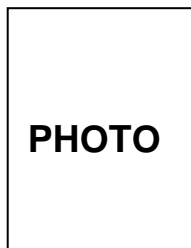

**BACK**

**SCHEDULE 4**

Regulation 6

**WORKING WITH CHILDREN CHECK**

**VOLUNTEER WORKING WITH CHILDREN CHECK CARD**

WORKING WITH CHILDREN CHECK	
CARD NO: Card Number	
ISSUED TO: Applicant Name	
SIGNATURE: <i>Applicant Signatu</i>	
EXPIRES ON: DD-MM-YY	
	 <b>PHOTO</b>
	 Hologram

**FRONT**

ISSUED IN VICTORIA
<b>DD-MM-YY</b>
EXPIRY DATE
The person identified on this card has passed a Working with Children Check
This card cannot be used to engage in child related work for profit or gain
If this card is found please contact ( <i>WWCC phone number</i> )

**BACK**

## ENDNOTES

### 1. General Information

The Working with Children Regulations 2006, S.R. No. 29/2006 were made on 28 March 2006 by the Governor in Council under section 49 of the **Working with Children Act 2005**, No. 57/2005 and came into operation on 3 April 2006: regulation 3.

The Working with Children Regulations 2006 will sunset 10 years after the day of making on 28 March 2016 (see section 5 of the **Subordinate Legislation Act 1994**).

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## 2. Table of Amendments

This Version incorporates amendments made to the Working with Children Regulations 2006 by statutory rules, subordinate instruments and Acts.

Working with Children (Amendment) Regulations 2007, S.R. No. 59/2007

*Date of Making:* 26.6.07

*Date of Commencement:* 1.7.07: reg. 3

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**3. Explanatory Details**

No entries at date of publication.