

# Children and Community Services Regulations 2006

Compare between:

[19 Jan 2011, 01-e0-02] and [31 Jan 2011, 01-f0-02]

#### Western Australia

Children and Community Services Act 2004

## Children and Community Services Regulations 2006

## Part 1 — Preliminary

#### 1. Citation

These regulations are the *Children and Community Services Regulations* 2006 <sup>1</sup>.

#### 2. Commencement

These regulations come into operation on the day on which section 250 comes into operation <sup>1</sup>.

#### 3. Terms used in these regulations

In these regulations, unless the contrary intention appears — *President* means the President of the Children's Court; *section* means a section of the Act.

#### Part 2 — Children in the CEO's care

#### 4. Approval of carers

- (1) The CEO may approve an individual for the purposes of section 79(2)(a)(i) if
  - the CEO is satisfied that the individual
    - is able to provide care for a child in a way that promotes the wellbeing of the child, promotes the child's family and interpersonal relationships, and protects the child from harm;
    - (ii) is able to provide a safe living environment for a child;
    - is able to work cooperatively with officers, a (iii) child's family and other people when providing care for a child;
    - is able to take responsibility for the development (iv) of his or her competency and skills as a carer; and
    - is a person of good character and repute; (v) and
  - (b) a negative notice or an interim negative notice has not been issued to the individual under the Working with Children (Criminal Record Checking) Act 2004.
- The CEO may, subject to subregulation (3), revoke an approval (2) under subregulation (1) if
  - the CEO can no longer be satisfied as to a matter referred to in subregulation (1)(a) in relation to the individual;
  - a negative notice or an interim negative notice has been (b) issued to the individual under the Working with Children (Criminal Record Checking) Act 2004; or

- there are reasonable grounds for believing that the approval was obtained improperly.
- Before revoking an approval the CEO must (3)
  - give a written notice to the individual
    - stating the reasons for the proposed revocation;
    - (ii) informing the individual that the individual is entitled to make representations to the CEO in respect of the proposed revocation within 28 days after receipt of the notice;

and

have regard to any representations made within the (b) period referred to in paragraph (a)(ii).

#### **5. Records** — prescribed information

- The following information is prescribed for the purposes of (1) section 128
  - the child's name; (a)
  - the child's date of birth and place of birth to the extent (b) that such information is available:
  - a copy of the child's care plan or provisional care plan (c) and any modifications to it;
  - information about the child's health, including a copy of (d) any medical records and immunisation records –
    - relating to the period in which the child is in the CEO's care; or
    - (ii) otherwise provided to the CEO;
  - information about the child's education, including a (e) copy of any school reports
    - relating to the period in which the child is in the CEO's care; or
    - (ii) otherwise provided to the CEO;

Children in the CEO's care

- (f) information about the child's cultural, ethnic, religious and family background to the extent that such information is available;
- (g) any other information considered by the CEO to be relevant to the child.
- (2) In subregulation (1)(c) care plan has the meaning given to that term in section 89(1); provisional care plan has the meaning given to that term in section 39(1).

#### Part 3 — Restraint, search and seizure

## 6. Prescribed amount (s. 112 — definition of "disposable article")

For the purposes of paragraph (c) of the definition of "disposable article" in section 112 the amount of \$30 is prescribed.

#### 7. Officer to record use of restraint

An authorised officer who restrains a child in the exercise of the power conferred by section 114 (the *incident*) must —

- (a) record the date and time of the incident; and
- (b) give the CEO a written report on the incident as soon as practicable after it occurs.

#### 8. How seized articles are to be dealt with

- (1) In this regulation seized article means a thing or substance seized under section 116.
- (2) This regulation applies if it is not reasonably practicable for an officer to return a seized article to a child.
- (3) The CEO may direct that the seized article be sold or destroyed or disposed of in some other way.
- (4) If the CEO issues a direction under subregulation (3), the officer must arrange for the sale, destruction or disposal of the seized article in accordance with the direction.
- (5) If the seized article is sold, the proceeds of the sale, after the deduction of the reasonable costs of the sale, must be credited to the Consolidated Account <sup>2</sup>.

r. 9AA

#### Part 4AA — Warrants

Heading inserted in Gazette 19 Jun 2009 p. 2226.]

#### 9AA. Form of warrant (access)

A warrant (access) as defined in section 121(1) is to be in the form of Schedule 1 Form 1.

[Regulation 9AA inserted in Gazette 19 Jun 2009 p. 2226.]

#### 9AB. Form of warrant (apprehension)

A warrant (apprehension) as defined in section 122(1) is to be in the form of Schedule 1 Form 2.

[Regulation 9AB inserted in Gazette 19 Jun 2009 p. 2226.]

#### **9AC.** Form of warrant (provisional protection and care)

A warrant (provisional protection and care) as defined in section 123(1) is to be in the form of Schedule 1 Form 3.

[Regulation 9AC inserted in Gazette 19 Jun 2009 p. 2226.]



<u>[Heading inserted (r. 9A) deleted in Gazette 9 Dec 200818 Jan 2011 p. 5108.]</u>

#### 9A. Information to be included in report

- (1) In this regulation
  - report and reporter have the respective meanings given in section 124A.
- (2) For the purposes of section 124C(3)(e) a report is to contain the following information, to the extent that it is known to the reporter, in respect of any person alleged to be responsible for the sexual abuse—
  - (a) the person's name;
  - (b) the person's contact details;
  - (c) the person's relationship to the child.

[Regulation 9A inserted in Gazette 9 Dec 2008 p. 5108145.]

## Part 4 — Pre-hearing conferences

#### 9. Terms used in this Part

In this Part —

*audio link* means facilities, including telephones, that enable, at the same time, the convenor and other people present at a pre-hearing conference to hear a person at another place and vice versa;

*video link* means facilities that enable, at the same time, the convenor and other people present at a pre-hearing conference to see and hear a person at another place and vice versa.

#### 10. Appointment of convenors

For the purposes of section 136 the President may appoint as a convenor —

- (a) a person by virtue of the office or position held by the person in the Court; or
- (b) a person who, in the opinion of the President, has appropriate qualifications and experience.

#### 11. Tenure, terms and conditions of appointment

- (1) A convenor appointed under regulation 10(b) holds office for the period, not exceeding 3 years, specified in his or her instrument of appointment and is eligible for reappointment.
- (2) The remuneration, allowances, and other terms and conditions of appointment, of a convenor appointed under regulation 10(b) are as described in his or her instrument of appointment.

#### 12. Resignation

A convenor appointed under regulation 10(b) may resign from office by giving the President a signed letter of resignation.

Part 4

The President may remove a convenor appointed under regulation 10(b) from office at any time.

#### **14.** People who may attend pre-hearing conference

- (1) The following people may attend a pre-hearing conference
  - the child unless the convenor of the conference otherwise directs;
  - any other party to the protection proceedings; (b)
  - a legal representative of a party to the protection (c) proceedings;
  - (d) a person allowed to attend under subregulation (2).
- (2) The convenor of a pre-hearing conference may allow a person to attend the conference if the convenor considers that the person is significant in the child's life.

#### 15. Participation using video link, audio link, etc.

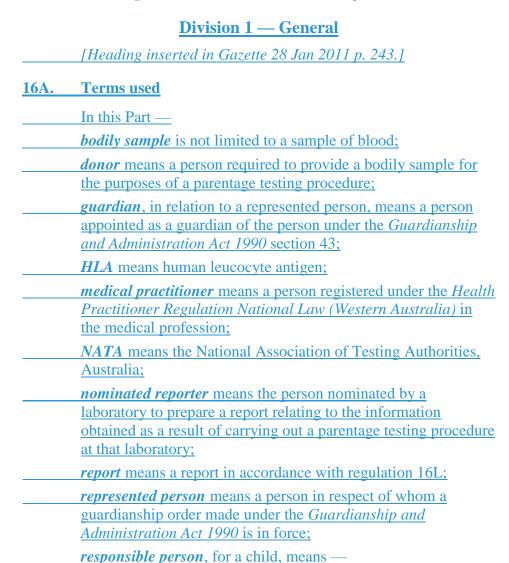
The convenor of a pre-hearing conference must, if directed by the Court to do so, and may, in any other case, allow a person who is unable to attend the pre-hearing conference in person to participate in the conference by means of video link, audio link or other electronic means.

**Division 1** General

r. 16A

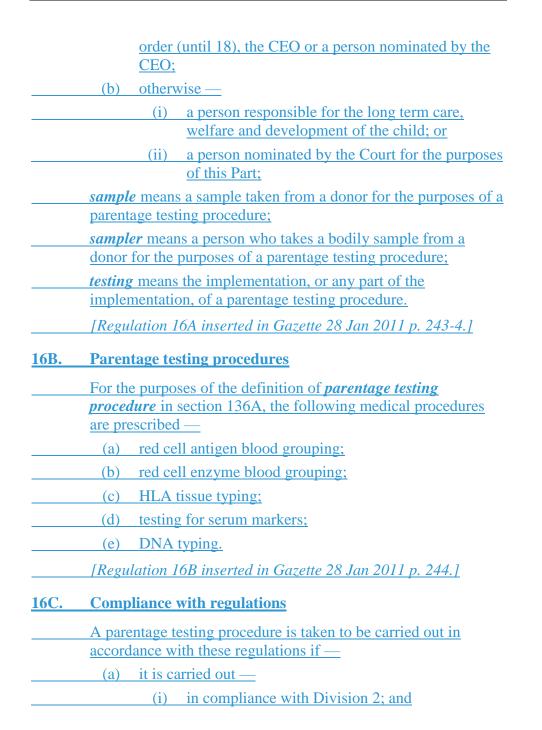
### Part 5A — Parentage testing procedures and reports

[Heading inserted in Gazette 28 Jan 2011 p. 243.]



(a) if the child is in provisional protection and care, or is the subject of a protection order (time limited) or protection

r. 16B



## Children and Community Services Regulations 2006 Part 5A Parentage testing procedures and reports **Division 2** Collection, storage and testing of samples r. 16D at a laboratory that is accredited by NATA for the purpose of carrying out parentage testing procedures; and (iii) in accordance with standards of practice that entitle the laboratory to be so accredited; and (b) a report for the procedure is prepared. [Regulation 16C inserted in Gazette 28 Jan 2011 p. 245.] Division 2 — Collection, storage and testing of samples [Heading inserted in Gazette 28 Jan 2011 p. 245.]

#### 16D. Samplers

A person must not take a bodily sample from a donor for the purposes of a parentage testing procedure unless —

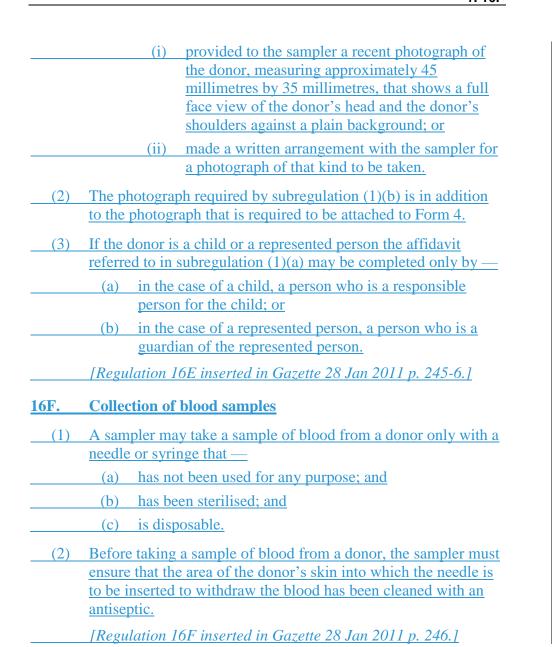
- (a) the person is a medical practitioner; or
- (b) the person is employed by a hospital, a pathology practice, a parentage testing practice or a medical practitioner for the purpose of taking a bodily sample from a donor.

[Regulation 16D inserted in Gazette 28 Jan 2011 p. 245.]

#### 16E. Provision of information by donor — Form 4

- (1) A sampler must not take a bodily sample from a donor unless the donor or, if subregulation (3) applies, a person who, under subregulation (3) can complete an affidavit, has—
  - (a) immediately before the sampler takes the bodily sample,
     completed an affidavit in the form of Schedule 1 Form
     4, to which is attached a recent photograph of the donor
     named in the affidavit; and
  - (b) either —

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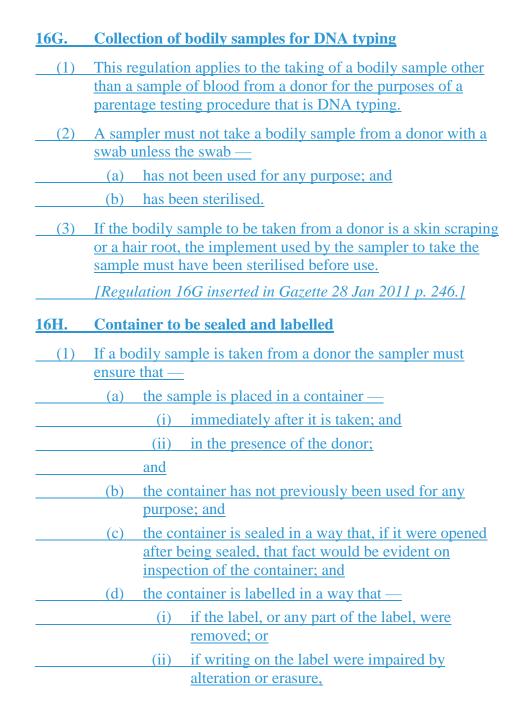


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Division 2 Collection, storage and testing of samples

r. 16G



		the removal of the label, or the impairment, would be
		evident on inspection of the container; and
	(e)	the particulars on the label are inscribed in ink and
		<u>include</u>
		(i) the full name of the donor; and
		(ii) the date of birth and the sex of the donor; and
		(iii) the date and time at which the sample was taken;
		<u>and</u>
	(f)	when paragraph (e) is complied with, the sampler and
		the donor sign the label, in ink.
(2)	If the	donor is a child —
	(a)	the procedure specified in subregulation (1)(a) must be
		completed in the presence of a person who is a
		responsible person for the child; and
	(b)	
		be satisfied only if a person who is a responsible person
		for the child signs the label.
(3)	If the	donor is a represented person —
	(a)	the procedure specified in subregulation (1)(a) must be
		completed in the presence of a person who is a guardian
		of the represented person; and
	(b)	
		be complied with only if the label is signed by a person
		who is a guardian of the represented person.
	[Regu	ulation 16H inserted in Gazette 28 Jan 2011 p. 246-7.]
<u>16I.</u>	State	ment by sampler — Form 5
	After	taking a bodily sample from a donor, the sampler must —
	(a)	complete a statement in the form of Schedule 1 Form 5;
		and

#### Children and Community Services Regulations 2006

Part 5A Parentage testing procedures and reports

Division 2 Collection, storage and testing of samples

r. 16J

	(b) affix the photograph of the donor referred to in regulation 16E(1)(b) to the statement; and
	(c) sign his or her name partly on the photograph and partly on the statement in a way that, if the photograph were later removed from the statement, the removal would be evident from inspection of the statement.
	[Regulation 16I inserted in Gazette 28 Jan 2011 p. 247-8.]
16J.	Packing and storage requirements
(1)	A bodily sample must be packed, stored and transported to a laboratory for testing in a manner that —  (a) will preserve the integrity of the sample; and

- (2) The sampler must ensure that the following documents are sent to the laboratory with the sample
  - (a) the affidavit completed under regulation 16E(1)(a);

had been tested immediately after collection.

ensures that the testing of the sample will produce the same results as would have been obtained if the sample

(b) the statement completed under regulation 16I.

[Regulation 16J inserted in Gazette 28 Jan 2011 p. 248.]

#### 16K. Testing of bodily samples

(b)

- (1) A laboratory to which a bodily sample has been sent for testing must ensure that the testing is completed
  - (a) if the proposed procedure is red cell antigen blood grouping, red cell enzyme blood grouping or testing for serum markers, within 6 days after the sample is taken; or
  - (b) if the proposed procedure is HLA tissue typing, within 3 days after the sample is taken; or
  - (c) if the proposed procedure is DNA typing, within a reasonable time after the sample is taken.

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Reports

(2) If the proposed procedure is red cell enzyme blood grouping or testing for serum markers, subregulation (1)(a) is complied with if a dried sample of the bodily sample to be tested is prepared

[Regulation 16K inserted in Gazette 28 Jan 2011 p. 248.]

within 6 days after the sample is taken from the donor.

#### **Division 3** — Reports

[Heading inserted in Gazette 28 Jan 2011 p. 248.]

#### 16L. Reports — Form 6

- (1) For the purposes of section 136H(b) a report must be prepared, in accordance with this regulation, relating to the information obtained as a result of carrying out a parentage testing procedure.
- (2) The report must be in the form of Schedule 1 Form 6.
- (3) Part I of the report must be completed by the nominated reporter identified in the report.
  - (4) Part II of the report must be completed by
    - the person who carried out the parentage testing procedure; or
    - the person under whose supervision the parentage (b) testing procedure was carried out.
- (5) A report completed otherwise than in accordance with this regulation is taken to be of no effect.

[Regulation 16L inserted in Gazette 28 Jan 2011 p. 248-9.]

## Part 5 — Reports about child

#### 16. Terms used in this Part

In this Part —

*panel* means the panel of names referred to in regulation 18(1); *report* has the meaning given to that term in section 138.

#### 17. Appointment of people to provide reports

- (1) Unless subregulation (2) applies, a person referred to in section 139(1) is to be appointed from the panel.
- (2) If the Court considers that a report is required from a person with particular qualifications or experience and such a person is not on the panel, the Court may appoint for the purposes of section 139 a person who, in the opinion of the Court, has the necessary qualifications or experience.

#### 18. President to establish panel

- (1) The President must establish and maintain a panel of names of people who
  - in the opinion of the President have appropriate qualifications and experience in one or more of the fields of medicine, psychology, psychiatry and social work; and
  - (b) are willing to be appointed for the purposes of section 139.
- (2) The President may remove the name of a person from the panel at any time.

#### 19. Terms and conditions of appointment

The remuneration, allowances, and other terms and conditions of appointment, of a person appointed for the purposes of section 139 are as described in his or her instrument of appointment.

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#### 20. Costs of report

- (1) A party to protection proceedings is to pay the costs of a report given in those proceedings if the Court so orders.
- (2) The Court must not make an order under subregulation (1) unless it is satisfied that there are exceptional reasons for doing so.

## Part 6 — Miscellaneous

20A.	Presc	ribed authorities
	The fo	ollowing agencies are prescribed for the purposes of the
		tion of <i>prescribed authority</i> in section 24A(1) —
	(a)	the department of the Public Service principally assisting in the administration of the <i>Aboriginal Heritage Act 1972</i> ;
	(b)	the department of the Public Service principally assisting in the administration of the <i>Births, Deaths and</i>
		Marriages Registration Act 1998;
	(c)	the department of the Public Service principally assisting in the administration of the <i>Child Care Services Act 2007</i> ;
	(d)	the department of the Public Service principally
	(3)	assisting in the administration of the Health Legislation Administration Act 1984;
	(e)	the department of the Public Service principally
		assisting in the administration of the <i>Higher Education</i> Act 2004;
	(f)	the department of the Public Service principally
		assisting in the administration of the <i>Housing Act 1980</i> ;
	(g)	the department of the Public Service principally assisting in the administration of the <i>Prisons Act 1981</i> ;
	(h)	the department of the Public Service principally
	(11)	assisting in the administration of the School Education  Act 1999;
	(i)	the department of the Public Service designated as the
		Mental Health Commission;
	<u>(j)</u>	the department of the Public Service designated as the Police Service;
	(k)	the Disability Services Commission referred to in the
		Disability Services Act 1993 section 6;

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- (l) the Western Australian Alcohol and Drug Authority established under the Alcohol and Drug Authority *Act 1974* section 5(1);
- each board within the meaning of that term in the (m) Hospitals and Health Services Act 1927 section 2(1).

[Regulation 20A inserted in Gazette 28 Jan 2011 p. 249-50.]

#### 21. Payments to enduring parental carers

(1) For the purposes of section 65 the scale of amounts set out in the Table is prescribed.

**Table** 

Class of children	Amount (\$)
0 to 5 years of age	344.08
6 years of age	352.08
7 to 12 years of age	416.00
13 to 15 years of age	504.40
16 to 17 years of age	458.25

(2) Payments of amounts prescribed under subregulation (1) are to be made at fortnightly intervals.

[Regulation 21 amended in Gazette 7 Aug 2007 p. 4029; 18 Jan 2011 p. 146.]

#### 21A. Work prescribed for s. 191(4)

Work that involves the collection of shopping trolleys at or in the vicinity of a shop or other retail outlet is prescribed for the purposes of section 191(4).

[Regulation 21A inserted in Gazette 18 Aug 2006 p. 3367.]

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Part 6	Miscellaneous

r. 21A

[22-23A. Deleted in Gazette 7 Aug 2007 p. 4030.]

## Part 7 — Transitional arrangements

#### 24. Terms used in this Part

In this Part —

commencement day means the day on which these regulations come into operation.

[Regulation 24 amended in Gazette 7 Aug 2007 p. 4030.]

[25-28. Deleted in Gazette 7 Aug 2007 p. 4030.]

#### 29. Children in the CEO's care

- This regulation applies to a child if immediately before (1) commencement day the child
  - was being cared for by a person pursuant to an arrangement made
    - by the Director-General as defined in the Child Welfare Act 1947<sup>3</sup> section 4(1); and
    - (ii) with the consent of a parent of the child; and
  - was not the subject of an order or proceedings under the (b) Child Welfare Act 1947<sup>3</sup>.
- (2) A child to whom this regulation applies is to be taken to be a child
  - who is in the CEO's care for the purposes of the Act Part 4: and
  - (b) to whom care is provided under a placement arrangement as defined in section 3.

cl. 1

#### Schedule 1 — Forms of warrants

[r. 9AA, 9AB, 9AC, 16E, 16I and 9AC 16L]

[Heading inserted in Gazette 19 Jun 2009 28 Jan 2011 p. 2226 250.]

#### 1. Warrant (access)

In the Children's Court at			Warrant (access)				
File No.							
То	All authoris	sed offic	ers.				
Details of	Surname				Date	of birth	
cniid	Given names		Gender		er		
	Address						
Details of	Name						
applicant	Division						
	Address						
	Telephone		Fax			Email	
Section	This warrant	t is issue	d under s	sectio	n 🗖 34	(3) 🗖 52(4	135(5)
Authority and directions	This warrant is issued under section ☐ 34(3) ☐ 52(4) ☐ 135(5)  This warrant authorises you —  (a) to enter, at any time, any place where you reasonably believe the child to be; and  (b) to search the place for the purpose of finding the child; and  (c) to remain at the place for as long as you consider reasonably necessary to find the child; and  (d) if the child is found, to remain at the place and have access to the child for as long as the officer considers reasonably necessary.						

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	This warrant must be executed in accordance with the Children and Community Services Act 2004 section 124.					
Issuing details	Name of magistrate					
	Date			Time		
Magistrate's signature	Issued by me above time.	e o	n the above date and a	at the	С	ourt seal
Execution details	Date		_	Time		
details	Address					
	☐ The v	var	rant was executed.			
	☐ The warrant could not be executed despite every reasonable effort.					
_	The warrant was not executed after the determination that access was no longer necessary.					
Authorised officer in	Name					
charge of execution	Position					
execution	Signature					

[Form 1 inserted in Gazette 19 Jun 2009 p. 2226-7.]

## 2. Warrant (apprehension)

In the Children's Court at	Warrant (apprehension)
File No.	

То	All authorised officers. All police officers.							
Details of	Surname	Date of birth						
child	Given names		Gender					
	Address							
Details of	Name							
applicant	Division							
	Address							
	Telephone		Fax			Email		
Section	This warran	This warrant is issued under section $\square$ 85(3) $\square$ 86(3)						
Authority	This warrant authorises you —							
and directions		(a) to enter, at any time, any place where you reasonably believe the child to be; and						
	(b) to search the place for the purpose of finding the child; and							
	(c) to remain at the place for as long as you consider reasonably necessary to find the child; and							
	(d) if the	child is fo	und, t	o app	rehend	l the chil	d and —	
	(i) in the case of a warrant issued under the Children and Community Services Act 2004 section 85, to take the child to such place as the CEO directs; or							
		of that Ac	et, to ta to in se	ke th	e child	to the p	section 86 lace ther place	
	This warra Children an							

	,					
Issuing details	Name of magistrate					
	Date			Time		
Magistrate's signature	Issued by me above time.	e or	n the above date and a	at the	С	ourt seal
Execution details	Date			Time		
details	Address					
	☐ The v	varı	rant was executed.			
	☐ The warrant could not be executed despite every reasonable effort.					
	☐ The warrant was not executed after the determination that apprehension of the child was no longer necessary.					
Authorised officer in	Name					
charge of	Position					
CACCULION	Signature					
1	1					

[Form 2 inserted in Gazette 19 Jun 2009 p. 2227-8.]

#### **3.** Warrant (provisional protection and care)

In the Children's Court at		Warrant (provisional protection and care)
File No.		
То	All authorised office.	eers.

Details of child	Surname				Date of	of birth	
Ciliid	Given names	C		Gende	er		
	Address						
Details of applicant	Name						
аррпсан	Division						
	Address						
	Telephone		Fax			Email	
Section	This warrant is	s issued u	nder s	section	350	(3) 🗖 13:	3(3)
Authority and directions	<ul> <li>This warrant authorises you —</li> <li>(a) to enter, at any time, any place where you reasonably believe the child to be; and</li> <li>(b) to search the place for the purpose of finding the child; and</li> <li>(c) to remain at the place for as long as you consider reasonably necessary to find the child; and</li> <li>(d) if the child is found, to take the child into provisional protection and care and to such place as the CEO directs.</li> <li>This warrant must be executed in accordance with the Children and Community Services Act 2004 section 124.</li> </ul>						
Issuing details	Name of magistrate						
	Date				Tim	e	
Magistrate's signature	Issued by me cabove time.	on the abo	ve da	te and	at the	Cou	ırt seal

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Execution details	Date		Time			
details	Address					
	☐ The warrant was executed.					
	☐ The warrant could not be executed despite every reasonable effort.					
	☐ The warrant was not executed after the determination that taking the child into provisional protection care was no longer necessary.					
Authorised officer in	Name					
charge of execution	Position					
execution	Signature					

[Form 3 inserted in Gazette 19 Jun 2009 p. 2228-9.]

#### 4. Parentage testing procedure

#### **AFFIDAVIT BY/IN RELATION TO DONOR**

NAME OF CHILD WHOSE PARENTAGE IS IN ISSUE: (insert child's name)

NAME OF DONOR: (insert donor's name)

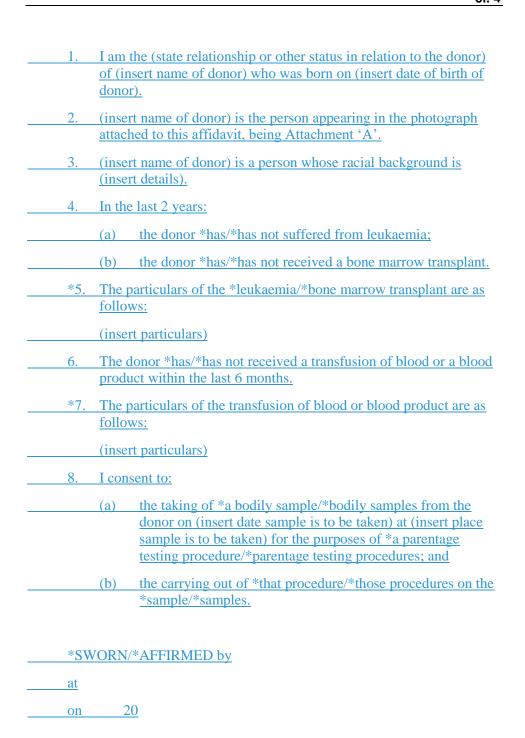
DATE OF BIRTH OF DONOR: (insert donor's date of birth)

\*RELATIONSHIP/\*PUTATIVE RELATIONSHIP OF DONOR TO CHILD WHOSE PARENTAGE IS IN ISSUE: (if donor is not the child whose parentage is in issue, insert relationship of donor to child)

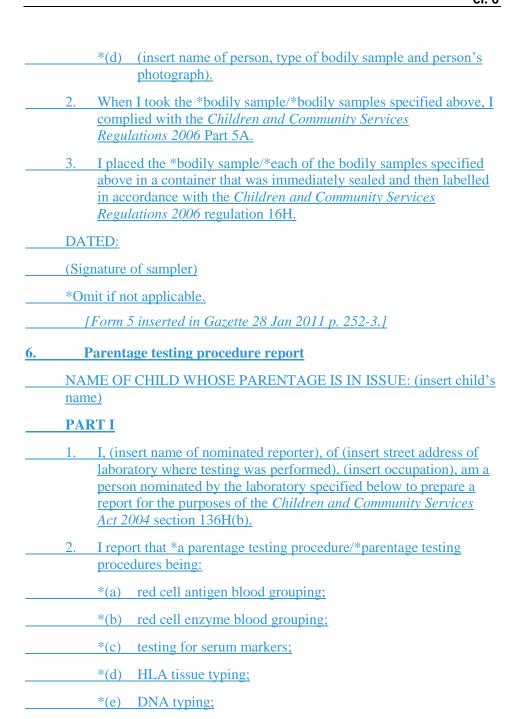
DATE OF TAKING SAMPLE FROM DONOR: (insert date sample is to be taken)

I, (insert name), of (insert address), (insert occupation), \*make oath and say/\*affirm:

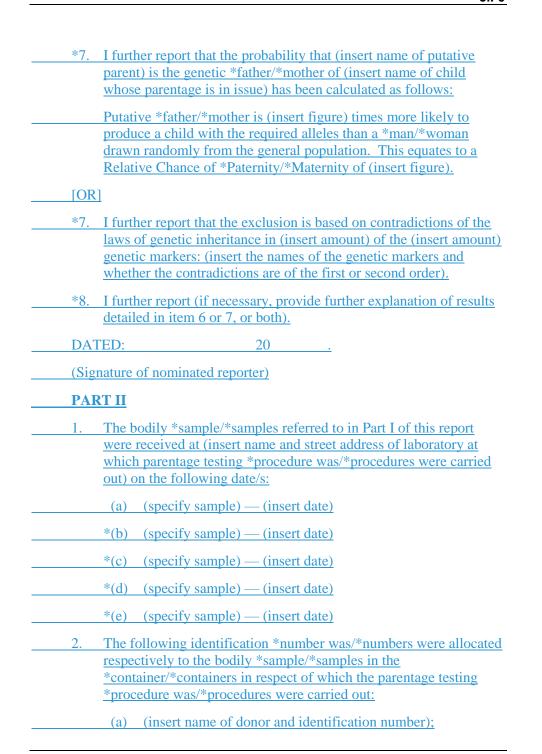
an a	orn or affirmed by the person making the affidavit in the presence authorised witness, on the day the donor's sample is taken.
PAI	<u>RT 1</u>
Part	1 must be completed if the person making the affidavit is the do
1.	I am the person appearing in the photograph attached to this affidavit, being Attachment 'A'.
2.	My racial background is (insert details).
3.	In the last 2 years:
	(a) I *have/*have not suffered from leukaemia;
	(b) I *have/*have not received a bone marrow transplant.
<u>*4.</u>	The particulars of the *leukaemia/*bone marrow transplant are follows:
	(insert particulars)
<u>5.                                    </u>	I *have/*have not received a transfusion of blood or a blood product within the last 6 months.
<u>*6.</u>	The particulars of the transfusion of blood or blood product are follows:
	(insert particulars)
7.	I consent to:
	(a) the taking of *a bodily sample/*bodily samples from medinsert date sample is to be taken) at (insert place sample be taken) for the purposes of *a parentage testing procedure/*parentage testing procedures; and
	(b) the carrying out of *that procedure/*those procedures or *sample/*samples.
PAl	<u>RT 2</u>



	(Signature of person making affidavit)
	BEFORE ME: (insert name of person
	before whom the affidavit is made)
	(Signature of person before whom affidavit is made)
	Attach a recent photograph of the donor named in the affidavit, measuring approximately 45 millimetres by 35 millimetres, that shows a full face view of the donor's head and the donor's shoulders against a plain background. The photograph must be marked 'A', and must bear a statement, signed by both the person before whom the affidavit is made and the person making the affidavit, identifying it as the photograph mentioned in the affidavit.
	*Omit if not applicable.
	[Form 4 inserted in Gazette 28 Jan 2011 p. 250-2.]
5.	Parentage testing procedure
	COLLECTION OF BODILY SAMPLES
	NAME OF CHILD WHOSE PARENTAGE IS IN ISSUE: (insert child'
	name)
	1. I, (insert name of sampler), of (insert professional address), (insert occupation), took the *bodily sample/*bodily samples specified below at (insert time) *a.m./*p.m. on (insert date) at (insert place o collection) from the following *person/*persons:
	(a) (insert name of person, type of bodily sample and person's photograph);
	*(b) (insert name of person, type of bodily sample and person's photograph);
	*(c) (insert name of person, type of bodily sample and person's photograph);



	*has/*have been carried out on the bodily *sample/*samples contained in the sealed *container/*containers bearing the *name/*names of the following *donor/*donors:
	(a) (insert donor's name, date of birth and relationship to child whose parentage is in issue);
	*(b) (insert donor's name, date of birth and relationship to child whose parentage is in issue);
	*(c) (insert donor's name, date of birth and relationship to child whose parentage is in issue);
	*(d) (insert donor's name, date of birth and relationship to child whose parentage is in issue).
3.	Each bodily sample referred to in item 2 is the same bodily sample as the bodily sample specified in the statement completed on (insert date) by (insert name of sampler) in the <i>Children and Community Services Regulations 2006</i> Schedule 1 Form 5.
4.	The parentage testing *procedure was/*procedures were carried out at (insert name and street address of *laboratory/*laboratories where testing was performed) on (insert date/s).
5.	The results of the parentage testing *procedure/*procedures are set out in Part II of this report.
*6.	I report that the results of the parentage testing  *procedure/*procedures carried out on the bodily *sample/*samples of the donors specified above show that (insert name of putative parent) is not excluded from identification as the *father/*mother of (insert name of child whose parentage is in issue).
OR	]
*6.	I report that the results of the parentage testing  *procedure/*procedures carried out on the bodily *sample/*samples of the donors specified above show that (insert name of putative parent) is excluded from identification as the *father/*mother of (insert name of child whose parentage is in issue).



- \*(b) (insert name of donor and identification number);
- \*(c) (insert name of donor and identification number);
- \*(d) (insert name of donor and identification number).
- 3. The results obtained from the parentage testing \*procedure/\*procedures are: (set out the results).

Complete this item if the parentage testing procedure carried out was red cell antigen blood grouping, red cell enzyme blood grouping, HLA tissue typing or testing for serum markers.

\*4. The results set out above in item 3 refer to the parentage testing

\*procedure/\*procedures carried out \*by me/\*under my supervision
on (insert date/s). The bodily \*sample was/\*samples were tested
with the same reagents and in parallel with appropriate known
controls. Results from controls show that all reagents were of
correct specificity and normal potency. I am satisfied that the
results obtained are true and that they have been correctly
transcribed from the laboratory records.

#### [OR]

Complete this item if parentage testing procedure carried out was DNA typing.

\*4. The results set out above in item 3 refer to the parentage testing 
\*procedure/\*procedures carried out \*by me/\*under my supervision on (insert date/s). The bodily \*sample was/\*samples were tested with the same probes/primers and in parallel with appropriate known controls. Fragment length and/or hybridisation patterns were in accordance with scientifically accepted standards. I am satisfied that the results obtained have been correctly coded from the fragment and/or hybridisation pattern and that they have been correctly transcribed from the laboratory records.

#### DATED:

(Signature of person who carried out parentage testing procedure or person under whose supervision parentage testing procedure was carried out)

#### Children and Community Services Regulations 2006

Forms of warrants Schedule 1

cl. 6

*C	mi	t if	not	apı	plica	ible.

[Form 6 inserted in Gazette 28 Jan 2011 p. 253-6.]

#### **Notes**

This- is a compilation of the *Children and Community Services Regulations 2006* and includes the amendments made by the other written laws referred to in the following table <sup>1a</sup>. The table also contains information about any reprint.

#### **Compilation table**

Citation	Gazettal	Commencement
Children and Community Services Regulations 2006	18 Jan 2006 p. 353-72	1 Mar 2006 (see r. 2 and <i>Gazette</i> 14 Feb 2006 p. 695)
Children and Community Services Amendment Regulations 2006	1 Mar 2006 p. 927-9	1 Mar 2006
Children and Community Services Amendment Regulations (No. 2) 2006	18 Aug 2006 p. 3367-8	18 Aug 2006
Children and Community Services Amendment Regulations (No. 3) 2006	8 Dec 2006 p. 5369-70	8 Dec 2006
Reprint 1: The <i>Children and Commu</i> (includes amendments listed above)	nity Services Reş	gulations 2006 as at 2 Feb 2007
Children and Community Services Amendment Regulations 2007	7 Aug 2007 p. 4029-30	r. 1 and 2: 7 Aug 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Aug 2007 (see r. 2(b) and Gazette 9 Aug 2007 p. 4071)
Children and Community Services Amendment Regulations 2008	9 Dec 2008 p. 5107-8	r. 1 and 2: 9 Dec 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2009 (see r. 2(b) and Gazette 9 Dec 2008 p. 5107)
Children and Community Services Amendment Regulations 2009	19 Jun 2009 p. 2225-9	r. 1 and 2: 19 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 20 Jun 2009 (see r. 2(b))
Children and Community Services Amendment Regulations 2010	18 Jan 2011 p. 145-6	r. 1 and 2: 18 Jan 2011 (see r. 2(a)); Regulations other than r. 1, 2 and 4: 19 Jan 2011 (see r. 2(c)) r. 4: 31 Jan 2011 (see r. 2(b) and Gazette 28 Jan 2011 p. 241)

Citation	Gazettal	Commencement
Children and Community Services	<del>18</del> <u>28</u> Jan	r. 1 and 2: <del>18</del> 28 Jan 2011
Amendment Regulations 2010 (other	<del>2006</del> <u>2011</u>	$(see_{r. 2(a)});$
<del>than r. 4)</del> 2011	p. <del>145-6</del> 243-	r. 5: 31 Jan 2011 (see r. 2(b) and
	<u>56</u>	Gazette 28 Jan 2011 p. 241);
		Regulations other than r. 1, 2 and
		4: 19 5: 31 Jan 2011 (see
		r. 2(b))c) and Gazette 28 Jan
		2011 p. 241)

On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

#### **Provisions that have not come into operation**

Citation	Gazettal	Commencement
Children and Community Services	18 Jan 2006	On commencement of the
Amendment Regulations 2010 r. 4 <sup>4</sup>	<del>p. 145-6</del>	Children and Community
		Services Act 2010 s. 72

- Under the Financial Legislation Amendment and Repeal Act 2006 Sch. 2 cl. 13 a reference to the Consolidated Fund may, where the context so requires, be read as if it had been amended to be a reference to the Consolidated Account. This reference was changed under the Reprints Act 1984 s. 7(5)(a).
- Repealed by the Children and Community Services Act 2004 s. 250.
- On the date as at which this compilation was prepared, the Children and Community Services Amendment Regulations 2010 r. 4 had not come into operation. It reads as follows:

