



Western Australia

Education and Care Services National Law Application Act 2026

**Education and Care Services National Law
Application (Local Regulations) Amendment
Regulations 2026**

Education and Care Services National Law Application (Local Regulations) Amendment Regulations 2026

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Education and Care Services National Law Application (Local Regulations) Amendment Regulations 2026

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Education and Care Services National Law Application (Local Regulations) Amendment Regulations 2026*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on 1 November 2026.

3. Regulations amended

These regulations amend the *Education and Care Services National Law Application (Local Regulations) Regulations 2026*.

4. Regulation 22 amended

In regulation 22(2) in the inserted text delete the Penalty and insert:

Penalty: \$3300.

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5. Regulation 25 amended

In regulation 25 in the inserted text delete each of the Penalties and insert:

Penalty: \$6600.

6. Regulation 27 amended

Delete the note at the end of regulation 27 and insert:

Notes:

1. The note at the end of regulation 123(6) is to be deleted.
2. At the end of regulation 123(7) the following note is to be inserted:

Note: The modifications of the National Regulations that insert subregulations (2A) and (7) for the purposes of the *Education and Care Services National Law Regulations (WA)* will be deleted on 1 July 2027 (see the *Education and Care Services National Law Application (Local Regulations) Regulations 2026* r. 53, which will delete regulation 27(3) and (4) of those regulations when it comes into operation on 1 July 2027).

7. Regulation 28A inserted

After regulation 28 insert:

28A. Regulation 154B modified

After regulation 154B(2) insert:

- (3) However, if the effect of subregulation (1) or (2) would be that information or a notification is required to be given under section 269E(1) or 269E(2) of the Law before 30 November 2026,

the prescribed time for the purposes of section 269E(1) or (2) (as the case requires) is the period ending on 30 November 2026.

8. Regulation 31A inserted

After regulation 31 insert:

31A. Regulation 190 modified

In regulation 190:

- (a) delete paragraphs (x) and (y);
- (b) in paragraph (zo) delete “check);” and insert:

check).

- (c) delete paragraph (zp).

9. Regulations 47A to 47E inserted

After regulation 47 insert:

47A. Part 7.9 Division 6 deleted

Delete Part 7.9 Division 6.

47B. Regulation 417 modified

In regulation 417 delete the passage that begins with “27 August 2026 if the person was —” and ends with “14 August 2026.” and insert:

30 April 2027 if the person was employed, engaged or appointed before 17 April 2027.

47C. Regulation 418 modified

In regulation 418 delete the passage that begins with “27 August 2026 if the person was —” and ends with “14 August 2026.” and insert:

30 April 2027 if the person was employed, engaged or appointed before 17 April 2027.

47D. Regulation 419 modified

In regulation 419 delete the passage that begins with “before the date” and ends with “from the date the training is published.” and insert:

before 1 February 2027 must complete the training on or before 30 April 2027.

47E. Regulation 419A inserted

After regulation 419 insert:

419A. Training completed before commencement of requirements

- (1) This regulation applies to a person required to complete —
 - (a) child protection training by regulation 128B; or
 - (b) foundation child safety training by regulation 128D; or
 - (c) advanced child safety training by regulation 128E.

- (2) Despite regulations 128B, 128D and 128E and 417, 418 and 419, the person is taken to have satisfied the requirement if the person completed the training before 1 November 2026.

10. Regulation 49 amended

In regulation 49:

- (a) in paragraph (d) delete “116C.” and insert:

116C;

- (b) after paragraph (d) insert:

- (e) delete the item for regulation 383A(1) and (2).

11. Part 3A inserted

After regulation 51 insert:

Part 3A — Transitional modifications

51A. Transitional modification because of *Early Childhood Legislation Amendment (Child Safety) Act 2025 (Vic)*

- (1) The modification set out in section 63(3) of the Act is disapplied.
- (2) The National Law is modified as set out in subregulation (3).

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(3) In section 219(4) of the National Law in the definition of ***disclosed information***:

(a) in paragraph (b) delete “216B; or” and insert:

216B.

(a) delete paragraph (c).

Note for this regulation:

Under section 33(3) of the Act, this regulation expires
18 months after the day on which it comes into operation
(that is, at the end of 1 May 2028).

12. Schedule 1 Form 1 amended

In Schedule 1 Form 1 delete:

How to pay	By post	Tick the relevant box below and post this notice to: Approved Officer — <i>Education and Care Services National Law (WA)</i> Department for Communities [Address] ☐ I want to pay the modified penalty by cheque or money order. A cheque or money order (payable to Approved Officer — <i>Education and Care Services National Law (WA)</i>) for the modified penalty is enclosed. ☐ I want to pay the modified penalty by credit card. Please debit my credit card account.
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