Western Australia

Children and Community Services Act 2004

Children and Community Services Regulations 2006

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Children and Community Services Regulations 2006

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Defined terms

Children and Community Services Regulations 2006

Part 1 — Preliminary

1. Citation

These regulations are the *Children and Community Services Regulations 2006*.

2. Commencement

These regulations come into operation on the day on which section 250 comes into operation.

3. Terms used

In these regulations, unless the contrary intention appears —

Department's website means a website maintained by or on behalf of the Department;

President means the President of the Children's Court;

section means a section of the Act.

[Regulation 3 amended: SL 2026/214 r. 4.]

[Part 1A (r. 3A) deleted: SL 2021/36 r. 4.]

Part 2 — Children in the CEO's care

4. Approval of carers (Act s. 79(2)(a)(i))

(1) The CEO may approve an individual for the purposes of section 79(2)(a)(i) if —

(a) the CEO is satisfied that the individual —

(i) 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; and

(ia) is able to provide care for a child in a way that supports the child's culture and identity; and

(ii) is able to provide a safe living environment for a child; and

(iii) is able to work cooperatively with officers, a child's family and other people when providing care for a child; and

(iv) is able to take responsibility for the development of their competency and skills as a carer; and

(v) is a person of good character and repute;

and

(b) a negative notice or an interim negative notice has not been issued to the individual under the *Working with Children (Screening) Act 2004*.

(2) The CEO may, subject to subregulation (3), revoke an approval under subregulation (1) if —

(a) the CEO can no longer be satisfied as to a matter referred to in subregulation (1)(a) in relation to the individual; or

(b) a negative notice or an interim negative notice has been issued to the individual under the *Working with Children (Screening) Act 2004*; or

(c) there are reasonable grounds for believing that the approval was obtained improperly.

(3) Before revoking an approval the CEO must —

(a) give a written notice to the individual —

(i) stating the reasons for the proposed revocation; and

(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

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

[Regulation 4 amended: SL 2022/49 r. 4 and 10.]

4A. Interim placement arrangements (Act s. 79(2)(a)(iv))

(1) In this regulation —

interim carer, in relation to an interim placement arrangement, means the individual who provides, or will provide, care for a child under the interim placement arrangement.

(2) The CEO may, under section 79(2), make an arrangement (an ***interim placement arrangement***) for the placement of a child with an individual who is not approved under regulation 4(1).

(3) Before, or as soon as practicable after, an interim placement arrangement is made in respect of a child, the following requirements must be met —

(a) the interim carer must make, and give to the CEO, a statutory declaration, in a form approved by the CEO, that addresses matters relevant to the interim carer's suitability to provide care for the child;

(b) the interim carer must consent to the CEO carrying out any check (including a criminal record check) that the CEO considers appropriate for the purposes of assessing the interim carer's suitability to provide care for the child;

(c) the CEO must confirm that a negative notice or an interim negative notice has not been issued to the interim carer under the *Working with Children (Screening) Act 2004*;

(d) an officer must visit the place where the child is, or will be, living under the interim placement arrangement.

(4) The CEO must cancel an interim placement arrangement if —

(a) any of the requirements in subregulation (3) are not met within 5 working days after the day on which the interim placement arrangement is made; or

(b) the interim carer is not approved under regulation 4(1) within 6 months after the day on which the interim placement arrangement is made.

(5) If, within 6 months after the day on which an interim placement arrangement is made, the interim carer is approved under regulation 4(1), then, on and from the date of approval, the interim placement arrangement is taken to be a placement arrangement made under section 79(2)(a)(i).

[Regulation 4A inserted: SL 2022/49 r. 5.]

4AA. Prescribed offices and positions (Act s. 124A *departmental officer*)

For the purposes of paragraph (a)(ii) of the definition of ***departmental officer*** in section 124A, each of the following offices or positions is prescribed —

(a) family support officer;

(b) cook in a secure care facility;

(c) any office or position to which a person is appointed on a casual employment basis under the *Public Sector Management Act 1994* section 100(2) by the employing authority of the Department.

[Regulation 4AA inserted: SL 2023/179 r. 4.]

4B. Prescribed course (Act s. 124A *teacher*)

A course is prescribed for the purposes of paragraph (c)(ii) of the definition of ***teacher*** in section 124A if —

(a) the course is an approved VET course as defined in the *Vocational Education and Training Act 1996* section 5(1); and

(b) the course is provided by —

(i) a college established under the *Vocational Education and Training Act 1996* section 35; and

(ii) a person employed under the *Vocational Education and Training Act 1996* section 47;

and

(c) the course is provided for students who include children.

[Regulation 4B inserted: SL 2023/110 r. 4.]

4BA. Prescribed duties (Act s. 124A *youth justice worker*)

(1) In this regulation —

contact includes any of the following —

(a) any form of oral communication, whether face to face, by telephone or otherwise;

(b) any form of written communication;

(c) any form of electronic communication.

(2) For the purposes of paragraph (a)(vi) of the definition of ***youth justice worker*** in section 124A, the duties are any of the following —

(a) any duty that involves material contact with children;

(b) supervision of children;

(c) monitoring of children.

[Regulation 4BA inserted: SL 2025/57 r. 4.]

5. Records, prescribed information for (Act s. 128)

(1) The following information is prescribed for the purposes of section 128 —

(a) the child's name;

(b) the child's date of birth and place of birth to the extent that such information is available;

(c) a copy of the child's care plan or provisional care plan and any modifications to it;

(d) information about the child's health, including a copy of any medical records and immunisation records —

(i) relating to the period in which the child is in the CEO's care; or

(ii) otherwise provided to the CEO;

(e) information about the child's education, including a copy of any school reports —

(i) relating to the period in which the child is in the CEO's care; or

(ii) otherwise provided to the CEO;

(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 2A — Aboriginal or Torres Strait Islander representative organisations

[Heading inserted: SL 2026/214 r. 5.]

5A. Applications for approval of Aboriginal or Torres Strait Islander representative organisations (Act s. 22A(1))

(1) The CEO may, by notice published on the Department's website, invite applications for approval as an Aboriginal or Torres Strait Islander representative organisation.

(2) An invitation may —

(a) specify a period within which applications may be made; and

(b) specify an area of the State in relation to which applications may be made.

(3) An organisation may apply for approval as an Aboriginal or Torres Strait Islander representative organisation in accordance with an invitation.

(4) An application must —

(a) be made in the form and way approved by the CEO under subregulation (5)(a); and

(b) be accompanied by evidence that the organisation meets the requirements for approval set out in regulation 5B(2).

(5) The CEO —

(a) may approve the form of an application, and the way in which an application is to be made, for the purposes of this regulation; and

(b) if a form or way is approved under paragraph (a) — must publish the approved form, or information about the approved way, on the Department's website.

[Regulation 5A inserted: SL 2026/214 r. 5.]

5B. Approval of Aboriginal or Torres Strait Islander representative organisations (Act s. 22A(1))

(1) In this regulation —

representative organisation function means —

(a) consultation under section 81(1)(b) about a placement arrangement in respect of an Aboriginal child or Torres Strait Islander child; or

(b) participation under section 89C in the preparation of a cultural support plan for an Aboriginal child or Torres Strait Islander child; or

(c) participation under section 90(2A) in the review of a cultural support plan for an Aboriginal child or Torres Strait Islander child.

(2) For the purposes of section 22A(1), the CEO may approve an organisation as an Aboriginal or Torres Strait Islander representative organisation if the CEO is satisfied that —

(a) the organisation's governing body is comprised, or substantially comprised, of Aboriginal persons, Torres Strait Islanders or both Aboriginal persons and Torres Strait Islanders; and

(b) the organisation's principal object, or 1 of its principal objects, is the promotion of the interests of Aboriginal persons, Torres Strait Islanders or both Aboriginal persons and Torres Strait Islanders; and

(c) either —

(i) the members of the governing body and staff of the organisation have, between them, experience in the provision of social services to Aboriginal persons or Torres Strait Islanders; or

(ii) before the organisation carries out any representative organisation functions, the organisation will engage 1 or more persons with

experience in the provision of social services to Aboriginal persons or Torres Strait Islanders;

and

(d) the members of the governing body and staff of the organisation have, between them —

(i) knowledge and understanding of the matters set out in subregulation (3); and

(ii) the ability to engage and communicate with Aboriginal children, or Torres Strait Islander children, and their families;

and

(e) the organisation's systems, processes and governance arrangements, including in relation to financial management, record-keeping and managing conflicts of interest and confidential information, are appropriate for carrying out representative organisation functions.

(3) The matters are —

(a) Aboriginal or Torres Strait Islander cultural practices; and

(b) child protection practices and processes, including cultural support requirements; and

(c) child development; and

(d) child rearing practices in respect of Aboriginal children or Torres Strait Islander children; and

(e) the impact of trauma (including intergenerational trauma) associated with disconnection from family, culture and country on the wellbeing of Aboriginal children, or Torres Strait Islander children, and their families.

(4) If the CEO approves an organisation, the CEO must determine the period for which the approval has effect.

(5) An approval must —

(a) be in writing; and

(b) specify —

(i) the period for which the approval has effect; and

(ii) any conditions to which the approval is subject.

(6) An approval has effect for the period specified under subregulation (5)(b)(i), unless earlier revoked under regulation 5C.

[Regulation 5B inserted: SL 2026/214 r. 5.]

5C. Revoking approval of Aboriginal or Torres Strait Islander representative organisations

(1) The CEO may revoke an approval of an Aboriginal or Torres Strait Islander representative organisation if —

(a) the organisation has requested in writing that the approval be revoked; or

(b) the CEO can no longer be satisfied as to a matter referred to in regulation 5B(2) in relation to the organisation; or

(c) the CEO believes, on reasonable grounds, that the approval was obtained improperly; or

(d) the CEO is satisfied that the organisation has contravened a condition of the approval; or

(e) the CEO is satisfied that it is otherwise reasonable in the circumstances to do so.

(2) Without limiting subregulation (1)(c), an approval was obtained improperly if the organisation provided information in connection with the application for approval that was false or misleading in a material particular.

(3) Before revoking an approval on a ground referred to in subregulation (1)(b) to (e), the CEO must —

(a) give a written notice to the organisation —

(i) stating the reasons for the proposed revocation; and

(ii) informing the organisation that the organisation is entitled to make representations to the CEO in respect of the proposed revocation within 28 days after receipt of the notice;

and

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

[Regulation 5C inserted: SL 2026/214 r. 5.]

Part 3 — Restraint, search and seizure

6. Prescribed amount (Act s. 112 "disposable article")

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

7. Restraint of child under Act s. 114, officer's duties after

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. Articles seized under Act s. 116, dealing 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 [1].

Part 4AA — Warrants

[Heading inserted: Gazette 19 Jun 2009 p. 2226.]

9AA. Form of warrant (access) (Act s. 121(1))

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

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

9AB. Form of warrant (apprehension) (Act s. 122(1))

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

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

9AC. Form of warrant (provisional protection and care) (Act s. 123(1))

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: Gazette 19 Jun 2009 p. 2226.]

9AD. Information in application for entry warrant (Act s. 241L(2)(a))

An application for an entry warrant made under section 241L(1) must include the following —

(a) the applicant's full name and official details;

(b) the place in relation to which the warrant is sought;

(c) the authorised purpose for which entry to the place is required;

(d) the grounds on which the applicant considers that entry to the place is required;

(e) the period, not exceeding 14 days, proposed for execution of the warrant;

(f) a statement to the best of the applicant's knowledge about whether an application for an entry warrant in respect of the same place has been made under section 241L(1) within the previous 72 hours and, if so, whether or not an entry warrant was issued.

[Regulation 9AD inserted: SL 2022/49 r. 6.]

9AE. Form of entry warrant (Act s. 241M(3))

An entry warrant issued under section 241M(1) must be in the form of Schedule 1 Form 3A.

[Regulation 9AE inserted: SL 2022/49 r. 6.]

[Part 4A (r. 9A) deleted: Gazette 18 Jan 2011 p. 145.]

Part 4 — Pre-hearing conferences

9. Terms used

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. Convenors, appointment of (Act s. 136)

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. Terms and conditions of convenors' appointments

(1) A convenor appointed under regulation 10(b) holds office for the period, not exceeding 3 years, specified in their 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 their instrument of appointment.

[Regulation 11 amended: SL 2022/49 r. 10.]

12. Resignation by convenor

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

13. Removing convenor from office

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 —

(a) the child unless the convenor of the conference otherwise directs;

(b) any other party to the protection proceedings;

(c) a legal representative of a party to the protection 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.

Part 5A — Parentage testing procedures and reports

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

Division 1 — General

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

16A. Terms used

In this Part —

bodily sample is not limited to a sample of blood;

donor means a person required to provide a bodily sample for the purposes of a parentage testing procedure;

guardian, in relation to a represented person, means a person appointed as a guardian of the person under the *Guardianship and Administration Act 1990* section 43;

HLA means human leucocyte antigen;

medical practitioner means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

NATA means the National Association of Testing Authorities, Australia;

nominated reporter means the person nominated by a laboratory to prepare a report relating to the information obtained as a result of carrying out a parentage testing procedure at that laboratory;

report means a report in accordance with regulation 16L;

represented person means a person in respect of whom a guardianship order made under the *Guardianship and Administration Act 1990* is in force;

responsible person, for a child, means —

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

order (until 18), the CEO or a person nominated by the CEO;

(b) otherwise —

(i) a person responsible for the long term care, welfare and development of the child; or

(ii) a person nominated by the Court for the purposes of this Part;

sample means a sample taken from a donor for the purposes of a parentage testing procedure;

sampler means a person who takes a bodily sample from a donor for the purposes of a parentage testing procedure;

testing means the implementation, or any part of the implementation, of a parentage testing procedure.

[Regulation 16A inserted: Gazette 28 Jan 2011 p. 243-4.]

16B. Parentage testing procedures (Act s. 136A)

For the purposes of the definition of ***parentage testing procedure*** in section 136A, the following medical procedures are prescribed —

(a) red cell antigen blood grouping;

(b) red cell enzyme blood grouping;

(c) HLA tissue typing;

(d) testing for serum markers;

(e) DNA typing.

[Regulation 16B inserted: Gazette 28 Jan 2011 p. 244.]

16C. Compliance with regulations

A parentage testing procedure is taken to be carried out in accordance with these regulations if —

(a) it is carried out —

(i) in compliance with Division 2; and

(ii) 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: Gazette 28 Jan 2011 p. 245.]

Division 2 — Collection, storage and testing of samples

[Heading inserted: Gazette 28 Jan 2011 p. 245.]

16D. Bodily samples, who may take

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 or in a health service provider, 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: Gazette 28 Jan 2011 p. 245; amended: Gazette 24 Jun 2016 p. 2296.]

16E. Information about donor to be given before bodily sample taken

(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 —

(i) provided to the sampler a recent photograph of the donor, measuring approximately 45 mm by 35 mm, that shows a full face view of the donor's head and the donor's shoulders against a plain background; or

(ii) made a written arrangement with the sampler for a photograph of that kind to be taken.

(2) The photograph required by subregulation (1)(b) is in addition to the photograph that is required to be attached to Form 4.

(3) If the donor is a child or a represented person the affidavit referred to in subregulation (1)(a) may be completed only by —

(a) in the case of a child, a person who is a responsible person for the child; or

(b) in the case of a represented person, a person who is a guardian of the represented person.

[Regulation 16E inserted: Gazette 28 Jan 2011 p. 245-6.]

16F. Blood samples, taking of

(1) A sampler may take a sample of blood from a donor only with a needle or syringe that —

(a) has not been used for any purpose; and

(b) has been sterilised; and

(c) is disposable.

(2) Before taking a sample of blood from a donor, the sampler must ensure that the area of the donor's skin into which the needle is to be inserted to withdraw the blood has been cleaned with an antiseptic.

[Regulation 16F inserted: Gazette 28 Jan 2011 p. 246.]

16G. Bodily samples for DNA typing, taking of

(1) This regulation applies to the taking of a bodily sample other than a sample of blood from a donor for the purposes of a parentage testing procedure that is DNA typing.

(2) A sampler must not take a bodily sample from a donor with a swab unless the swab —

(a) has not been used for any purpose; and

(b) has been sterilised.

(3) If the bodily sample to be taken from a donor is a skin scraping or a hair root, the implement used by the sampler to take the sample must have been sterilised before use.

[Regulation 16G inserted: Gazette 28 Jan 2011 p. 246.]

16H. Bodily samples, procedure for dealing with immediately after taking

(1) If a bodily sample is taken from a donor the sampler must ensure that —

(a) the sample is placed in a container —

(i) immediately after it is taken; and

(ii) in the presence of the donor;

and

(b) the container has not previously been used for any purpose; and

(c) the container is sealed in a way that, if it were opened after being sealed, that fact would be evident on inspection of the container; and

(d) the container is labelled in a way that —

(i) if the label, or any part of the label, were removed; or

(ii) if writing on the label were impaired by alteration or erasure,

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 include —

(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;

and

(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) the procedure specified in subregulation (1)(f) is taken to 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) the procedure specified in subregulation (1)(f) is taken to be complied with only if the label is signed by a person who is a guardian of the represented person.

[Regulation 16H inserted: Gazette 28 Jan 2011 p. 246-7.]

16I. Sampler's duties after taking bodily sample

After taking a bodily sample from a donor, the sampler must —

(a) complete a statement in the form of Schedule 1 Form 5; and

(b) affix the photograph of the donor referred to in regulation 16E(1)(b) to the statement; and

(c) sign their 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: Gazette 28 Jan 2011 p. 247-8; amended: SL 2022/49 r. 10.]

16J. Packing, storing and transporting bodily samples for testing

(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

(b) ensures that the testing of the sample will produce the same results as would have been obtained if the sample had been tested immediately after collection.

(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);

(b) the statement completed under regulation 16I.

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

16K. Time for testing bodily samples

(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.

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

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

Division 3 — Reports

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

16L. Reports of testing (Act s. 136H(b))

(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 —

(a) the person who carried out the parentage testing procedure; or

(b) the person under whose supervision the parentage 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: Gazette 28 Jan 2011 p. 248-9.]

Part 5 — Reports about child

16. Terms used

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. Appointing people to provide reports (Act s. 139)

(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 —

(a) 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 under Act s. 139

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

[Regulation 19 amended: SL 2022/49 r. 10.]

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

20AA. Relevant information (Act s. 23(1) and 28A)

(1) Information that facilitates the provision of social services to any of the following is information of a kind prescribed for the purposes of paragraph (b) of the definition of ***relevant information*** in sections 23(1) and 28A —

(a) children, other individuals, families and communities at risk of being subjected to, or exposed to, family violence;

(b) persons subjected to, or exposed to, family violence.

(2) Subregulation (1) includes, but is not limited to, personal information as defined in the *Privacy and Responsible Information Sharing Act 2024* section 4.

[Regulation 20AA inserted: SL 2026/200 r. 4.]

20A. Prescribed authorities (Act s. 28A)

The following public authorities are prescribed for the purposes of the definition of ***prescribed authority*** in section 28A —

(a) the department of the Public Service principally assisting in the administration of the *Aboriginal Heritage Act 1972*;

(b) the department of the Public Service principally assisting in the administration of the *Births, Deaths and Marriages Registration Act 1998*;

[(c) deleted]

(d) the department of the Public Service principally assisting in the administration of the *Health Legislation Administration Act 1984*;

[(e) deleted]

(f) the Housing Authority referred to in the *Housing Act 1980* section 6(4);

[(g) deleted]

(h) the department of the Public Service principally assisting in the administration of the *School Education Act 1999*;

(i) the department of the Public Service principally assisting in the administration of the *Mental Health Act 2014*;

(j) 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;

(la) the Police Force of Western Australia;

[(l) deleted]

(m) each health service provider established by an order made under the *Health Services Act 2016* section 32(1);

(n) the Teacher Registration Board of Western Australia established by the *Teacher Registration Act 2012* section 86;

(o) the Training Accreditation Council established by the *Vocational Education and Training Act 1996* section 25;

(p) each college established under the *Vocational Education and Training Act 1996* section 35;

(q) a judge of the Family Court of Western Australia;

(r) the Principal Registrar, a deputy registrar or a registrar of the Family Court of Western Australia;

(s) a family law magistrate as defined in the *Family Court Act 1997* section 5(1);

(t) a family consultant as defined in the *Family Court Act 1997* section 61;

(u) the department of the Public Service designated as the Department of the Premier and Cabinet;

(v) the department of the Public Service principally assisting in the administration of the *Financial Management Act 2006*.

[Regulation 20A inserted: Gazette 28 Jan 2011 p. 249-50; amended: Gazette 27 Jan 2012 p. 567; 27 Jun 2014 p. 2311; 10 Apr 2015 p. 1251; 15 Dec 2015 p. 5028-9; 24 Jun 2016 p. 2296; 22 Jun 2018 p. 2179; SL 2022/49 r. 7; SL 2023/52 r. 4; SL 2023/172 r. 4.]

21. Payments to special guardians (Act s. 65)

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

Table

Item	Class of children	Amount
1.	Children who are under 7 years of age	$554
2.	Children who have reached 7 years of age but are under 13 years of age	$655
3.	Children who have reached 13 years of age	$793

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

[Regulation 21 amended: Gazette 7 Aug 2007 p. 4029; 18 Jan 2011 p. 146; 21 Sep 2012 p. 4422; 27 Jun 2014 p. 2311; 26 Jun 2015 p. 2238-9; 24 Jun 2016 p. 2293; 23 Jun 2017 p. 3175; 22 Jun 2018 p. 2179; 28 Jun 2019 p. 2478; SL 2020/142 r. 4; SL 2021/139 r. 4; SL 2022/87 r. 6; SL 2023/93 r. 6; SL 2024/108 r. 6; SL 2025/159 r. 4; SL 2026/108 r. 4.]

21A. Work prescribed (Act 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: Gazette 18 Aug 2006 p. 3367.]

21B. Prescribed personal material (Act s. 97(1))

For the purposes of paragraph (e) of the definition of ***personal material*** in section 97(1), the following documents and materials are prescribed —

(a) school test results and other material relating to the child's education (such as awards, certificates, yearbooks, portfolios and artwork);

(b) records and personal effects relating to the child's participation in recreational or extra-curricular activities (such as awards, medals, trophies and certificates);

(c) the child's Medicare card and health care card;

(d) the child's dental records;

(e) the child's immunisation records;

(f) the child's Tax File Number;

(g) documents relating to the child's financial assets (such as bank account and trust account information and any cards linked to such accounts);

(h) the child's learner's permit, driver's licence and any other identification documents;

(i) the child's family tree or genogram;

(j) gifts, letters and photographs received from the child's relatives, friends and carers;

(k) the child's placement history;

(l) documents or material relating to the child's religious identity (such as a baptism or confirmation certificate).

[Regulation 21B inserted: Gazette 22 Jun 2018 p. 2179-80.]

22. Public authorities to which s. 22(4AA) applies

Section 22(4AA) applies to the following public authorities —

(a) the department of the Public Service principally assisting in the administration of the *Local Government Act 1995*;

(b) the department of the Public Service principally assisting in the administration of the *Mental Health Act 2014*;

(c) the department of the Public Service principally assisting in the administration of the *Prisons Act 1981*;

(d) the department of the Public Service principally assisting in the administration of the *School Education Act 1999*;

(e) the department of the Public Service principally assisting in the administration of the *Vocational Education and Training Act 1996* (other than Part 4 of that Act);

(f) the health service provider with the corporate name "North Metropolitan Health Service" established under the *Health Services (Health Service Providers) Order 2016* clause 8(1);

(g) the health service provider with the corporate name "South Metropolitan Health Service" established under the *Health Services (Health Service Providers) Order 2016* clause 9(1);

(h) the health service provider with the corporate name "East Metropolitan Health Service" established under the *Health Services (Health Service Providers) Order 2016* clause 10(1);

(i) the health service provider with the corporate name "Child and Adolescent Health Service" established under the *Health Services (Health Service Providers) Order 2016* clause 12(1);

(j) the health service provider with the corporate name "WA Country Health Service" established under the *Health Services (Health Service Providers) Order 2016* clause 14(1).

[Regulation 22 inserted: SL 2022/49 r. 8; amended: SL 2022/168 r. 4.]

23. Prescribed criteria for person preparing report under s. 61(2B)

(1) In this regulation —

Aboriginal or Torres Strait Islander organisation means a body corporate —

(a) the governing body of which is comprised, or substantially comprised, of Aboriginal persons, Torres Strait Islanders or both Aboriginal persons and Torres Strait Islanders; and

(b) that has as its principal object, or one of its principal objects, the promotion of the interests of Aboriginal persons, Torres Strait Islanders or both Aboriginal persons and Torres Strait Islanders.

(2) A person who prepares a written report for the purposes of section 61(2B) must be —

(a) an Aboriginal or Torres Strait Islander organisation the members of the governing body and staff of which have, between them —

(i) experience in the provision of social services to Aboriginal persons or Torres Strait Islanders; and

(ii) knowledge and understanding of the matters described in subregulation (3); and

(iii) the ability to engage and communicate with Aboriginal children, or Torres Strait Islander children, and their families;

or

(b) an individual (other than an officer of the Department) who —

(i) is an Aboriginal person or Torres Strait Islander; and

(ii) has the experience, knowledge, understanding and ability referred to in paragraph (a)(i), (ii) and (iii).

(3) For the purposes of subregulation (2)(a)(ii), the matters are —

(a) Aboriginal or Torres Strait Islander cultural practices; and

(b) child protection practices and processes, including cultural support requirements; and

(c) child development; and

(d) child rearing practices in respect of Aboriginal children or Torres Strait Islander children; and

(e) the impact of trauma (including intergenerational trauma) associated with disconnection from family, culture and country on the wellbeing of Aboriginal children, or Torres Strait Islander children, and their families.

[Regulation 23 inserted: SL 2022/49 r. 8; amended: SL 2026/214 r. 6.]

*[**23A.** Deleted: Gazette 7 Aug 2007 p. 4030.]*

23B. Prescribed legal proceedings (Act s. 124F(2))

A proceeding under the *Coroners Act 1996* is a prescribed legal proceeding for the purposes of section 124F(2).

[Regulation 23B inserted: SL 2025/191 r. 4.]

23C. Prescribed legal proceedings (Act s. 240(2))

A proceeding under the *Coroners Act 1996* is a prescribed legal proceeding for the purposes of section 240(2).

[Regulation 23C inserted: SL 2025/191 r. 4.]

Part 7 — Transitional arrangements

Division 1 — Transitional provisions for *Children and Community Services Regulations 2006*

[Heading inserted: SL 2026/214 r. 7

24. Term used: commencement day

In this Part —

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

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

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

29. Certain children in care as at 1 Mar 2006

(1) This regulation applies to a child if immediately before commencement day the child —

(a) was being cared for by a person pursuant to an arrangement made —

(i) by the Director-General as defined in the *Child Welfare Act 1947* [2] section 4(1); and

(ii) with the consent of a parent of the child;

and

(b) was not the subject of an order or proceedings under the *Child Welfare Act 1947* [2].

(2) A child to whom this regulation applies is to be taken to be a child —

(a) 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.

Division 2 — Transitional provision for *Children and Community Services Amendment Regulations (No. 3) 2026*

[Heading inserted: SL 2026/214 r. 8.]

30. References to provisions before commencement of *Children and Community Services Amendment Act 2021* s. 32, 39 and 40

In regulation 5B(1), in the definition of ***representative organisation function*** —

(a) in paragraph (a), the reference to section 81(1)(b) is, before the coming into operation of the *Children and Community Services Amendment Act 2021* section 32, a reference to section 81(1)(b) as it will be inserted by the *Children and Community Services Amendment Act 2021* section 32; and

(b) in paragraph (b), the reference to section 89C is, before the coming into operation of the *Children and Community Services Amendment Act 2021* section 39, a reference to section 89C as it will be inserted by the *Children and Community Services Amendment Act 2021* section 39; and

(c) in paragraph (c), the reference to section 90(2A) is, before the coming into operation of the *Children and Community Services Amendment Act 2021* section 40, a reference to section 90(2A) as it will be inserted by the *Children and Community Services Amendment Act 2021* section 40.

[Regulation 30 inserted: SL 2026/214 r. 8.]

Schedule 1 — Forms

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

[Heading inserted: Gazette 28 Jan 2011 p. 250; amended: SL 2022/49 r. 9(1).]

1. Warrant (access)

<table>
<tr><td colspan="3">In the Children's Court at

File No.</td><td colspan="5">Warrant (access)</td></tr>
<tr><td>To</td><td colspan="7">All authorised officers.</td></tr>
<tr><td rowspan="3">Details of child</td><td>Surname</td><td colspan="3"></td><td>Date of birth</td><td colspan="2"></td></tr>
<tr><td>Given names</td><td colspan="3"></td><td>Gender</td><td colspan="2"></td></tr>
<tr><td>Address</td><td colspan="6"></td></tr>
<tr><td rowspan="4">Details of applicant</td><td>Name</td><td colspan="6"></td></tr>
<tr><td>Division</td><td colspan="6"></td></tr>
<tr><td>Address</td><td colspan="6"></td></tr>
<tr><td>Telephone</td><td></td><td>Fax</td><td></td><td>Email</td><td colspan="2"></td></tr>
<tr><td>Section</td><td colspan="7">This warrant is issued under section ❒ 34(3) ❒ 52(4) ❒ 135(5)</td></tr>
<tr><td>Authority and directions</td><td colspan="7">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.
This warrant must be executed in accordance with the Children and Community Services Act 2004 section 124.</td></tr>
<tr><td rowspan="2">Issuing details</td><td>Name of magistrate</td><td colspan="5"></td></tr>
<tr><td>Date</td><td colspan="2"></td><td>Time</td><td colspan="2"></td></tr>
</table>

Form 1

<table>
<tr><td>Magistrate's signature</td><td colspan="3">Issued by me on the above date and at the above time.</td><td>Court seal</td></tr>
<tr><td rowspan="5">Execution details</td><td>Date</td><td></td><td>Time</td><td></td></tr>
<tr><td>Address</td><td colspan="3"></td></tr>
<tr><td colspan="4">❒ The warrant was executed.</td></tr>
<tr><td colspan="4">❒ The warrant could not be executed despite every reasonable effort.</td></tr>
<tr><td colspan="4">❒ The warrant was not executed after the determination that access was no longer necessary.</td></tr>
<tr><td rowspan="3">Authorised officer in charge of execution</td><td>Name</td><td colspan="3"></td></tr>
<tr><td>Position</td><td colspan="3"></td></tr>
<tr><td>Signature</td><td colspan="3"></td></tr>
</table>

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

Form 2

2. Warrant (apprehension)

<table>
<tr><td colspan="3">In the Children's Court at

File No.</td><td colspan="5">Warrant (apprehension)</td></tr>
<tr><td>To</td><td colspan="7">All authorised officers.
All police officers.</td></tr>
<tr><td rowspan="3">Details of child</td><td>Surname</td><td colspan="2"></td><td>Date of birth</td><td colspan="2"></td></tr>
<tr><td>Given names</td><td colspan="2"></td><td>Gender</td><td colspan="2"></td></tr>
<tr><td>Address</td><td colspan="5"></td></tr>
<tr><td rowspan="4">Details of applicant</td><td>Name</td><td colspan="5"></td></tr>
<tr><td>Division</td><td colspan="5"></td></tr>
<tr><td>Address</td><td colspan="5"></td></tr>
<tr><td>Telephone</td><td></td><td>Fax</td><td></td><td>Email</td><td colspan="2"></td></tr>
<tr><td>Section</td><td colspan="7">This warrant is issued under section ❒ 85(3) ❒ 86(3)</td></tr>
<tr><td>Authority and directions</td><td colspan="7">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 apprehend the child 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
(ii) in the case of a warrant issued under section 86 of that Act, to take the child to the place referred to in section 86(1) or such other place as the CEO directs.
This warrant must be executed in accordance with the Children and Community Services Act 2004 section 124.</td></tr>
<tr><td rowspan="2">Issuing details</td><td>Name of magistrate</td><td colspan="5"></td></tr>
<tr><td>Date</td><td colspan="2"></td><td>Time</td><td colspan="2"></td></tr>
</table>

Form 2

<table>
<tr><td>Magistrate's signature</td><td colspan="3">Issued by me on the above date and at the above time.</td><td>Court seal</td></tr>
<tr><td rowspan="5">Execution details</td><td>Date</td><td></td><td>Time</td><td></td></tr>
<tr><td>Address</td><td colspan="3"></td></tr>
<tr><td colspan="4">❒ The warrant was executed.</td></tr>
<tr><td colspan="4">❒ The warrant could not be executed despite every reasonable effort.</td></tr>
<tr><td colspan="4">❒ The warrant was not executed after the determination that apprehension of the child was no longer necessary.</td></tr>
<tr><td rowspan="3">Authorised officer in charge of execution</td><td>Name</td><td colspan="3"></td></tr>
<tr><td>Position</td><td colspan="3"></td></tr>
<tr><td>Signature</td><td colspan="3"></td></tr>
</table>

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

Form 3

3. Warrant (provisional protection and care)

<table>
<tr><td colspan="3">In the Children's Court at

File No.</td><td colspan="5">Warrant (provisional protection and care)</td></tr>
<tr><td>To</td><td colspan="7">All authorised officers.
All police officers.</td></tr>
<tr><td rowspan="3">Details of child</td><td>Surname</td><td colspan="3"></td><td>Date of birth</td><td colspan="2"></td></tr>
<tr><td>Given names</td><td colspan="3"></td><td>Gender</td><td colspan="2"></td></tr>
<tr><td>Address</td><td colspan="6"></td></tr>
<tr><td rowspan="4">Details of applicant</td><td>Name</td><td colspan="6"></td></tr>
<tr><td>Division</td><td colspan="6"></td></tr>
<tr><td>Address</td><td colspan="6"></td></tr>
<tr><td>Telephone</td><td></td><td>Fax</td><td></td><td>Email</td><td colspan="2"></td></tr>
<tr><td>Section</td><td colspan="7">This warrant is issued under section ❒ 35(3) ❒ 133(3)</td></tr>
<tr><td>Authority and directions</td><td colspan="7">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 take the child into provisional protection and care and to such place as the CEO directs.
This warrant must be executed in accordance with the Children and Community Services Act 2004 section 124.</td></tr>
<tr><td rowspan="2">Issuing details</td><td>Name of magistrate</td><td colspan="6"></td></tr>
<tr><td>Date</td><td colspan="3"></td><td>Time</td><td colspan="2"></td></tr>
<tr><td>Magistrate's signature</td><td colspan="5">Issued by me on the above date and at the above time.</td><td colspan="2">Court seal</td></tr>
</table>

Form 3

<table>
<tr><td rowspan="5">Execution details</td><td>Date</td><td></td><td>Time</td><td></td></tr>
<tr><td>Address</td><td colspan="3"></td></tr>
<tr><td colspan="4">❒ The warrant was executed.</td></tr>
<tr><td colspan="4">❒ The warrant could not be executed despite every reasonable effort.</td></tr>
<tr><td colspan="4">❒ The warrant was not executed after the determination that taking the child into provisional protection care was no longer necessary.</td></tr>
<tr><td rowspan="3">Authorised officer in charge of execution</td><td>Name</td><td colspan="3"></td></tr>
<tr><td>Position</td><td colspan="3"></td></tr>
<tr><td>Signature</td><td colspan="3"></td></tr>
</table>

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

Form 3A

3A. Entry warrant

Children and Community Services Act 2004 **Entry warrant**				
To	*All authorised officers *All industrial inspectors **Delete if inapplicable*			
Application	The applicant has applied under the *Children and Community Services Act 2004* section 241L(1) to me, a magistrate, for a warrant authorising the entry of a place for an authorised purpose.			
Applicant's details	Full name and official details			
Authorised purpose for which entry is required				
Suspected offence (if any)	Provision(s)			
Warrant	This warrant authorises you to enter the place described below.			
Place to be entered				
Execution period	This warrant must be executed within _____ day(s) after the date it is issued.			
Issuing details	Name of magistrate			
	Date		Time	
Magistrate's signature	Issued by me on the above date and at the above time. Magistrate			

Form 3A

Execution details	Start	Date:	Time:
	End	Date:	Time:
	Occupier present? Yes/No Entry audiovisually recorded? Yes/No		
Person executing this warrant	Name		

[Form 3A inserted: SL 2022/49 r. 9(2).]

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:

IMPORTANT Either Part 1 or 2 of this form must be completed and sworn or affirmed by the person making the affidavit in the presence of an authorised witness, on the day the donor's sample is taken.

PART 1

Part 1 must be completed if the person making the affidavit is the donor.

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.

*4. The particulars of the *leukaemia/*bone marrow transplant are as follows:

   (insert particulars)

5. I *have/*have not received a transfusion of blood or a blood product within the last 6 months.

*6. The particulars of the transfusion of blood or blood product are as follows:

(insert particulars)

7. I consent to:

(a) the taking of *a bodily sample/*bodily samples from me on (insert date sample is to be taken) at (insert place sample is to be taken) for the purposes of *a parentage testing procedure/*parentage testing procedures; and

(b) the carrying out of *that procedure/*those procedures on the *sample/*samples.

PART 2

Part 2 must be completed on behalf of a child or a represented person.

1. I am the (state relationship or other status in relation to the donor) of (insert name of donor) who was born on (insert date of birth of donor).

2. (insert name of donor) is the person appearing in the photograph attached to this affidavit, being Attachment 'A'.

3. (insert name of donor) is a person whose racial background is (insert details).

4. In the last 2 years:

(a) the donor *has/*has not suffered from leukaemia;

(b) the donor *has/*has not received a bone marrow transplant.

*5. The particulars of the *leukaemia/*bone marrow transplant are as follows:

(insert particulars)

6. The donor *has/*has not received a transfusion of blood or a blood product within the last 6 months.

*7. The particulars of the transfusion of blood or blood product are as follows:

(insert particulars)

8. I consent to:

(a) the taking of *a bodily sample/*bodily samples from the donor on (insert date sample is to be taken) at (insert place sample is to be taken) for the purposes of *a parentage testing procedure/*parentage testing procedures; and

(b) the carrying out of *that procedure/*those procedures on the *sample/*samples.

*SWORN/*AFFIRMED by

at

on 20

(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 mm by 35 mm, 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: 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's 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 of 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);

   *(d) (insert name of person, type of bodily sample and person's photograph).

2. When I took the *bodily sample/*bodily samples specified above, I complied with the *Children and Community Services Regulations 2006* Part 5A.

3. I placed the *bodily sample/*each of the bodily samples specified above in a container that was immediately sealed and then labelled in accordance with the *Children and Community Services Regulations 2006* regulation 16H.

DATED:

(Signature of sampler)

*Omit if not applicable.

[Form 5 inserted: Gazette 28 Jan 2011 p. 252-3.]

6. Parentage testing procedure report

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

PART I

1. I, (insert name of nominated reporter), of (insert street address of laboratory where testing was performed), (insert occupation), am a person nominated by the laboratory specified below to prepare a report for the purposes of the *Children and Community Services Act 2004* section 136H(b).

2. I report that *a parentage testing procedure/*parentage testing procedures being:

   *(a) red cell antigen blood grouping;

   *(b) red cell enzyme blood grouping;

   *(c) testing for serum markers;

   *(d) HLA tissue typing;

   *(e) DNA typing;

   *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 *Children and Community Services Regulations 2006* 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).

*7. I further report that the probability that (insert name of putative parent) is the genetic *father/*mother of (insert name of child whose parentage is in issue) has been calculated as follows:

Putative *father/*mother is (insert figure) times more likely to produce a child with the required alleles than a *man/*woman drawn randomly from the general population. This equates to a Relative Chance of *Paternity/*Maternity of (insert figure).

[OR]

*7. I further report that the exclusion is based on contradictions of the laws of genetic inheritance in (insert amount) of the (insert amount) genetic markers: (insert the names of the genetic markers and whether the contradictions are of the first or second order).

*8. I further report (if necessary, provide further explanation of results detailed in item 6 or 7, or both).

DATED: 20 .

(Signature of nominated reporter)

PART II

1. The bodily *sample/*samples referred to in Part I of this report were received at (insert name and street address of laboratory at which parentage testing *procedure was/*procedures were carried out) on the following date/s:

   (a) (specify sample) — (insert date)

   *(b) (specify sample) — (insert date)

   *(c) (specify sample) — (insert date)

   *(d) (specify sample) — (insert date)

   *(e) (specify sample) — (insert date)

2. The following identification *number was/*numbers were allocated respectively to the bodily *sample/*samples in the *container/*containers in respect of which the parentage testing *procedure was/*procedures were carried out:

   (a) (insert name of donor and identification number);

   *(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)

*Omit if not applicable.

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

Notes

This is a compilation of the *Children and Community Services Regulations 2006* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, or versions that include editorial changes made under the *Legislation Act 2021* Part 3, see the compilation table. For provisions affected by editorial changes see the editorial changes table.

Compilation table

Citation	Published	Commencement
Children and Community Services Regulations 2006	18 Jan 2006 p. 353-72	1 Mar 2006 (see r. 2 and *Gazette* 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 *Children and Community Services Regulations 2006* as at 2 Feb 2007 (includes amendments listed above)		
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	Published	Commencement
Children and Community Services Amendment Regulations 2011	28 Jan 2011 p. 243-56	r. 1 and 2: 28 Jan 2011 (see r. 2(a)); r. 5: 31 Jan 2011 (see r. 2(b) and *Gazette* 28 Jan 2011 p. 241); Regulations other than r. 1, 2 and 5: 31 Jan 2011 (see r. 2(c) and *Gazette* 28 Jan 2011 p. 241)
Reprint 2: The *Children and Community Services Regulations 2006* as at 8 Apr 2011 (includes amendments listed above)		
Children and Community Services Amendment Regulations 2012	27 Jan 2012 p. 567	r. 1 and 2: 27 Jan 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Jan 2012 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 2) 2012	21 Sep 2012 p. 4422	r. 1 and 2: 21 Sep 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Sep 2012 (see r. 2(b))
Children and Community Services Amendment Regulations 2014	27 Jun 2014 p. 2310-11	r. 1 and 2: 27 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2014 (see r. 2(b))
Children and Community Services Amendment Regulations 2015	10 Apr 2015 p. 1251	r. 1 and 2: 10 Apr 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b)(ii) and *Gazette* 10 Apr 2015 p. 1249)
Children and Community Services Amendment Regulations (No. 2) 2015	26 Jun 2015 p. 2238-9	r. 1 and 2: 26 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 3) 2015	15 Dec 2015 p. 5028-9	r. 1 and 2: 15 Dec 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2016 (see r. 2(b) and *Gazette* 15 Dec 2015 p. 5027)
Child Protection Regulations Amendment Regulations 2016 Pt. 3	24 Jun 2016 p. 2292-4	1 Jul 2016 (see r. 2(b))

Citation	Published	Commencement
Children and Community Services Amendment Regulations 2016	24 Jun 2016 p. 2295-6	r. 1 and 2: 24 Jun 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2016 (see r. 2(b) and *Gazette* 24 Jun 2016 p. 2291)
Reprint 3: The *Children and Community Services Regulations 2006* as at 2 Sep 2016 (includes amendments listed above)		
Child Protection Regulations Amendment (Fees and Payments) Regulations 2017 Pt. 3	23 Jun 2017 p. 3174-5	1 Jul 2017 (see r. 2(b))
Children and Community Services Amendment Regulations 2018	22 Jun 2018 p. 2178-80	r. 1 and 2: 22 Jun 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2018 (see r. 2(b))
Child Protection Regulations Amendment (Fees and Payments) Regulations 2019 Pt. 3	28 Jun 2019 p. 2477-9	1 Jul 2019 (see r. 2(b))
Children and Community Services Amendment Regulations 2020	SL 2020/142 28 Aug 2020	r. 1 and 2: 28 Aug 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2020 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 2) 2020	SL 2020/237 4 Dec 2020	r. 1 and 2: 4 Dec 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Dec 2020 (see r. 2(b))
Children and Community Services Amendment Regulations 2021	SL 2021/36 9 Apr 2021	r. 1 and 2: 9 Apr 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Apr 2021 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 2) 2021	SL 2021/139 30 Jul 2021	r. 1 and 2: 30 Jul 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 31 Jul 2021 (see r. 2(b))
Children and Community Services Amendment Regulations 2022	SL 2022/49 22 Apr 2022	r. 1 and 2: 22 Apr 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 1 May 2022 (see r. 2(b))
Child Protection Regulations Amendment (Fees and Payments) Regulations 2022 Pt. 3	SL 2022/87 17 Jun 2022	1 Jul 2022 (see r. 2(b))

Citation	Published	Commencement
Children and Community Services Amendment Regulations (No. 3) 2022	SL 2022/168 21 Oct 2022	r. 1 and 2: 21 Oct 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Nov 2022 (see r. 2(b))
Children and Community Services Amendment Regulations 2023	SL 2023/52 19 May 2023	r. 1 and 2: 19 May 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2023 (see r. 2(b))
Child Protection Regulations Amendment (Fees and Payments) Regulations 2023 Pt. 3	SL 2023/93 30 Jun 2023	1 Jul 2023 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 2) 2023	SL 2023/110 14 Jul 2023	r. 1 and 2: 14 Jul 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 15 Jul 2023 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 3) 2023	SL 2023/172 1 Nov 2023	r. 1 and 2: 1 Nov 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 15 Nov 2023 (see r. 2(b) and SL 2023/161 cl. 2)
Children and Community Services Amendment Regulations (No. 4) 2023	SL 2023/179 15 Nov 2023	r. 1 and 2: 15 Nov 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Nov 2023 (see r. 2(b))
***Children and Community Services Regulations 2006* with editorial changes as at 14 Jun 2024**		
Child Protection Regulations Amendment (Fees and Payments) Regulations 2024 Pt. 3	SL 2024/108 26 Jun 2024	1 Jul 2024 (see r. 2(b))
Children and Community Services Amendment Regulations 2025	SL 2025/57 16 Apr 2025	r. 1 and 2: 16 Apr 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 1 May 2025 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 2) 2025	SL 2025/159 3 Sep 2025	r. 1 and 2: 3 Sep 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Sep 2025 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 3) 2025	SL 2025/191 26 Nov 2025	r. 1 and 2: 26 Nov 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 27 Nov 2025 (see r. 2(b))

Citation	Published	Commencement
Children and Community Services Amendment Regulations (No. 2) 2026	SL 2026/108 24 Jun 2026	r. 1 and 2: 24 Jun 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2026 (see r. 2(b))
Children and Community Services Amendment Regulations 2026	SL 2026/200 1 Oct 2026	r. 1 and 2: 1 Oct 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Oct 2026 (see r. 2(b))
Children and Community Services Amendment Regulations (No. 3) 2026	SL 2026/214 14 Oct 2026	r. 1 and 2: 14 Oct 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 15 Oct 2026 (see r. 2(b) and SL 2026/209 cl. 2)

Editorial changes table

The *Legislation Act 2021* Part 3 authorises the Parliamentary Counsel to make editorial changes to laws. This power cannot be used to change the effect of a law. If an editorial change is made to a law, the law has effect as if the change had been made by another law that amended the law and commenced on the day on which the change is made.

To see the editorial changes included in a version of a law, see the compare document for that version on the WA Legislation website.

Provision/s affected	Authorising provision of *Legislation Act 2021* Part 3	Effective date of change
r. 4(1)(b) and (2)(b) and 4A(3)(c)	s. 25(2)	14 Jun 2024

Other notes

[1] 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).

[2] Repealed by the *Children and Community Services Act 2004* s. 250.

Defined terms

[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]

Defined term	Provision(s)
Aboriginal or Torres Strait Islander organisation	23(1)
audio link	9
bodily sample	16A
care plan	5(2)
commencement day	24
contact	4BA(1)
Department's website	3
donor	16A
guardian	16A
HLA	16A
incident	7
interim carer	4A(1)
interim placement arrangement	4A(2)
medical practitioner	16A
NATA	16A
nominated reporter	16A
panel	16
personal material	21B
President	3
provisional care plan	5(2)
report	16A, 16
representative organisation function	5B(1)
represented person	16A
responsible person	16A
sample	16A
sampler	16A
section	3
seized article	8(1)
testing	16A
video link	9

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