

Guardianship and Administration Act 1990

# Guardianship and Administration Amendment Regulations 2024

SL 2024/42

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Western Australia

## Guardianship and Administration Amendment Regulations 2024

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Guardianship and Administration Act 1990

## Guardianship and Administration Amendment Regulations 2024

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Guardianship and Administration Amendment Regulations* 2024.

#### 2. Commencement

- (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 the day after that day.

#### **3.** Regulations amended

These regulations amend the *Guardianship and Administration Regulations 2005*.

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#### 4. Part 3A inserted

After Part 3 insert:

## Part 3A — Confidentiality

# 8A. Public Advocate and Public Trustee authorised to divulge personal information in prescribed circumstances

(1) In this regulation, each of the following terms has the meaning given in the *National Disability Insurance Scheme Act 2013* (Commonwealth) section 9 —

Agency

CEO

#### Commission

#### Commissioner

- (2) Under section 113(1)(d) of the Act, the Public Advocate and the Public Trustee are authorised to divulge personal information to —
  - (a) the Agency, if the Public Advocate or Public Trustee (as the case requires) is satisfied that the information is relevant to the performance of a function of the Agency under the *National Disability Insurance Scheme Act 2013* (Commonwealth); and
  - (b) the Commission, if the Public Advocate or Public Trustee (as the case requires) is satisfied that the information is relevant to the performance of a function of the Commission under the *National Disability Insurance Scheme Act 2013* (Commonwealth); and
  - (c) the CEO, if the Public Advocate or Public Trustee (as the case requires) is satisfied that

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the information is relevant to an exercise of the CEO's powers under the *National Disability Insurance Scheme Act 2013* (Commonwealth) section 55; and

 (d) the Commissioner, if the Public Advocate or Public Trustee (as the case requires) is satisfied that the information is relevant to an exercise of the Commissioner's powers under the *National Disability Insurance Scheme Act 2013* (Commonwealth) section 55A.

V. MOLAN, Clerk of the Executive Council

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