

Guardianship and Administration Act 1990

Guardianship and Administration Amendment Regulations 2024

SL 2024/42

Official Version Published 04 Apr 2024 on www.legislation.wa.gov.au

Western Australia

Guardianship and Administration Amendment Regulations 2024

Contents

1. 2.	Citation Commencement			1 1
3.	Regulations amended			1
4.	Part 3A inserted			2
	Part 3A — Confidentiality			
	8A.	Public Advocate and Public Trustee authorised to divulge personal information in prescribed circumstances	2	

SL 2024/42

Official Version Published 04 Apr 2024 on www.legislation.wa.gov.au page i

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*.

SL 2024/42

Official Version Published 04 Apr 2024 on www.legislation.wa.gov.au page 1

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

page 2

Official Version Published 04 Apr 2024 on www.legislation.wa.gov.au SL 2024/42

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

SL 2024/42

Official Version Published 04 Apr 2024 on www.legislation.wa.gov.au page 3

[©] State of Western Australia 2024. This work is licensed under a Creative Commons Attribution 4.0 International Licence (CC BY 4.0). To view relevant information and for a link to a copy of the licence, visit <u>www.legislation.wa.gov.au</u>. Attribute work as: © State of Western Australia 2024. By Authority: GEOFF O. LAWN, Government Printer