



Western Australia

Guardianship and Administration Act 1990

Guardianship and Administration Amendment Regulations 2024

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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

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 the day after that day.

3. Regulations amended

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

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

- 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