

## Recognition of kinship carers in Australian carer legislation

The following definition of a carer is used in the Commonwealth Carer Recognition Act. The State & Territory Acts use a similar definition; some Acts also include subgroups of kinship carers.

A carer is an individual who provides personal care, support and assistance to another individual who needs it because that other individual:

- (a) has a disability; or
- (b) has a medical condition (including a terminal or chronic illness); or
- (c) has a mental illness; or
- (d) is frail and aged.

Jurisdiction	Mention of kinship carers
<b>Commonwealth of Australia</b> <i>Carers Recognition Act 2010</i>	Kinship carers are not recognised. The <i>Carer Recognition Act 2010 Guidelines</i> state that: <ul style="list-style-type: none"> <li>➤ Statutory kinship carers and foster carers under the child protection laws of any State or Territory specifically excluded.</li> <li>➤ The definition of carer may vary in other Commonwealth, State or Territory laws. The definition of carer in this Act does not exclude or override other definitions of carer that exist in any other legislation.</li> </ul>
<b>Victoria</b> <i>Carers Recognition Act 2012</i> <i>Vic (Version 3, 6 April 2020)</i>	<b>Formal kinship carers and foster carers are recognised.</b> Informal kinship carers are not recognised.
<b>Australian Capital Territory</b> <i>Carers Recognition Act 2021</i>	<b>Formal kinship carers and foster carers are recognised.</b> Informal kinship carers are not recognised.
<b>Tasmania</b> <i>Carer Recognition Act 2023</i>	<b>Informal kinship carers are recognised.</b> Formal kinship carers are not recognised.
<b>Queensland</b> <i>Carers (Recognition) Act 2008 (Current 27 June 2012)</i>	<b>Grandparent carers are recognised without discriminating with regard to formal or informal status.</b> (2010 amendment). Other kinship carers, (such as aunts/uncles or connected persons) are not included.
<b>South Australia</b> <i>Carers Recognition Act 2005 (Version 20 Oct 2018)</i>	Kinship carers, formal or informal, are not recognised. Statutory kinship carers & foster carers are specifically excluded.
<b>Northern Territory</b> <i>Carers Recognition Act 2006</i>	Kinship carers, formal or informal, are not recognised. Statutory kinship carers & foster carers are specifically excluded.
<b>Western Australia</b> <i>Carers Recognition Act 2004</i>	Kinship carers, formal or informal, are not recognised. Statutory kinship carers & foster carers are specifically excluded.
<b>New South Wales</b> <i>Carers (Recognition) Act 2010 (Current version 2017)</i>	Kinship carers, formal or informal, are not recognised.