



Fact sheet

Disqualification from applying or holding a blue card

This fact sheet provides information for disqualified persons identified under the *Working with Children (Risk Management and Screening) Act 2000* (the Act). It is an offence for a disqualified person to sign a blue card application.

When is a person disqualified from applying for a blue card?

A person is disqualified from applying for a blue card if they:

- Have been convicted of a disqualifying offence.
- Are a reportable offender with current reporting obligations under the *Child Protection (Offender Reporting) Act 2004*.
- Are subject to a child protection offender prohibition order.
- Are subject to a disqualification order prohibiting them from applying for or holding a blue card.
- Are subject to a sexual offender order under the *Dangerous Prisoners (Sexual offenders) Act 2003*.

Read more about who is eligible to hold a blue card: qld.gov.au/bluecardeligibility

What is a disqualifying offence?

Disqualifying offences are listed on the Blue Card Services [website](#). This list is not exhaustive, and some may only be considered disqualifying offences if committed against a child.

View the disqualifying offences at: qld.gov.au/bluecardoffences-individual

Can a disqualified person ever get a blue card?

A disqualified person may apply to Blue Card Services for an Eligibility Declaration application and if it is issued, they can apply for a blue card.

In order for a disqualified person to be issued an [Eligibility Declaration](#), they must meet strict criteria.

Until an Eligibility Declaration is issued, it remains an offence for a disqualified person to sign a blue card application form.

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An Eligibility Declaration can only be issued if Blue Card Services is satisfied that the case is an exceptional one in which the best interests of children would not be harmed by allowing the person to apply for a blue card.

A person cannot be declared eligible to apply for a blue card where they:

- Have been sentenced to imprisonment for a disqualifying offence.
- Have current reporting obligations under the *Child Protection (Offender Reporting) Act 2004*.
- Are subject to a child protection offender prohibition order.
- Are subject to a disqualification order made by a court.
- Are subject to a sexual offender order.

There is no right of review of the decision to refuse to issue an Eligibility Declaration in relation to a disqualified person.

In such cases the person's blue card must be cancelled and the person must be issued with a negative notice.

This means the person is prohibited from working in child-related activities regulated by the Act.

Why would a card be suspended?

A person's blue card will be suspended if they:

- Are charged with a disqualifying offence.

- Become subject to a temporary offender prohibition order.
- Become subject to an interim sexual offender order.

In these cases, a person must immediately return their blue card to Blue Card Services. Blue Card Services will notify the person and any organisation where the person works (which requires them to have a blue card) that the blue card has been suspended.

What happens if a card holder becomes disqualified?

A blue card holder becomes disqualified if they:

- Are convicted of a disqualifying offence and sentenced to imprisonment.
- Become subject to reporting obligations.
- Become subject to a final offender prohibition order.
- Become subject to a disqualification order.
- Become subject to a sexual offender order.

In such cases the person's blue card must be cancelled and the person must be issued with a negative notice. This means the person is prohibited from working in child-related activities regulated by the Act.



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What are the penalties for not complying?

The below table outlines the cardholder obligations and the corresponding offences and penalties.

Obligations	Offences	Maximum penalty
Making sure you are eligible to make an application for a blue or exemption card.	A person who has a conviction for a disqualifying offence must not: <ul style="list-style-type: none"> • Sign an application as a relevant person. • Make an application to carry on or continue carrying on a regulated business. • Apply for a job, start a job or continue with a job working with children (regulated employment). 	500 penalty units or 5 years' imprisonment
Making sure your application and on-going communication is truthful.	You must not make false or misleading statements to a proposed employer or to Blue Card Services.	100 penalty units or 1 year imprisonment
Notifying Blue Card Services of any change in your police information.	A cardholder (paid, volunteer, student or business operator) must immediately notify us of the change in their police information by submitting a change in police information notification , found on our website.	100 penalty units or 1 year imprisonment
Returning your blue card to Blue Card Services.	A person who has been issued with a suspension notice must return their blue card to us immediately after receiving notification about the suspension.	100 penalty units or 1 year imprisonment

Read more about penalties at: qld.gov.au/bluecardoffences

Need help?

Phone us on 1800 113 611 or 07 3211 6999. Or visit our website at www.qld.gov.au/bluecard. If you need an interpreter, contact Language Loop on 1800 512 451.