

An aerial photograph of a city, likely Adelaide, South Australia, showing a large green field in the foreground and a cityscape in the background. The text is overlaid on the image.

Legal Compliance Education and Awareness

Volunteers Protection Act 2001

(South Australian)

What does the Volunteers Protection Act do?

- Provides protection for volunteers from being held personally liable for damage, loss or injury they may have caused to others while undertaking volunteer work
 - Seeks to strike a balance between the need to protect volunteers & the interests of those who suffer injury
 - The intent of the Act is to encourage people to volunteer by reducing risk to
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What is a Volunteer?

- A volunteer is a person who undertakes 'community work' & who is not paid for the work they do
- Volunteering is undertaken:
 - *to be of benefit to the community & the volunteer*
 - *of the volunteer's own free will & without coercion*
 - *for no financial payment*
 - *in designated volunteer positions only*
- A person carrying out work under the order of a court or as a condition of a bond is not regarded as a volunteer

What is 'community work'?

Community work is work done for any of the following purposes:

- for a religious, educational, charitable or benevolent purpose
 - for promoting or encouraging literature, science or the arts
 - for looking after, or providing medical treatment or attention for, people who
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How does the Act apply to the University?

- The University is considered a 'community organisation' for the purpose of the Act as it:
 - directs & co-ordinates the carrying out of work by volunteers; &
 - is a body corporate
 - The University has people volunteering in a variety of ways & in a variety of
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When does protection from liability not apply?

Volunteers will not be protected under the Act:

- For defamatory comments
- For situations covered by compulsory third-party motor vehicle insurance
 - For example: where a volunteer was driving a car & was involved in an accident where someone was injured. In this case, the injured person follows the normal procedure for making a claim
- Where the volunteer's ability to carry out the work properly was significantly impaired by drugs or alcohol
- Where the volunteer was acting & knew (or ought to have known) they were acting outside the scope of the activities authorised by the University
- Where the volunteer was acting & knew (or ought to have known) they were acting, contrary to instructions given by the University

What should you do if you wish to engage volunteers?

- Ensure volunteers tasks & responsibilities are documented & agreed to (eg: through a
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Additional Resources

- [Celine McInerney](#), General Counsel
 - 8313 5033
 - [Richard Duddy](#), Legal Counsel
 - 8313 0085
 - [University of Adelaide volunteers website](#)
 - [University Volunteer Policy & Handbook for Volunteer Co-ordinators](#)
 - [Volunteers Protection Act 2001 \(SA\)](#)
 - [Volunteers Protection Regulations 2004 \(SA\)](#)
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