

# Model Provisions on the Protection of Vulnerable Persons and Persons with Special Needs



There are around six hundred model provisions included in this document. The purpose of the model provisions is to give policy-makers and drafters as many choices as possible as to the potential policy and regulatory elements on the subject in question, without prejudging any decision. The model provisions will, of course, need to be adapted to the legal and policy context in which they are used. In particular, obligations and powers may need to be assigned to authorities and persons other than those set out in the model provisions. The model provisions are intended solely as a source of inspiration and a checklist, without any claim to validity.

Many, if not most, of the elements suggested by the various large language models are supported by real legislative examples. However, it would have been extremely cumbersome to keep track of these references at the stage of the final document. If necessary, we can make available an interim working document in which most of the references are still visible.

The model provisions were primarily drafted by one large language model, Mistral Le Chat, with additional input from several large language models during the reference gathering and ideation phase. They have been lightly edited and annotated. Despite the edits, the model provisions may still contain errors and some provisions overlap. For instance, a particular power or obligation may appear in a specific context and in a more general chapter of the document. Where such a power or obligation has been selected in a general context, it may obviously be superfluous in the specific contexts.

Most of the provisions proposed by Mistral Le Chat include a statement of reasons. While uncommon in many jurisdictions, we have retained these explanations as they can be used to fine-tune the provisions, for example, by turning the explanations into a limiting condition.

The model provisions do not constitute a single, integrated, and internally consistent document. In order not to prejudge decisions, we have deliberately left some variations. For example, it is a matter of custom whether "person" or "individual" is preferred.

Mistral Le Chat was sometimes too prescriptive in suggesting " must " where " may " would be more appropriate, at least in many jurisdictions. We have corrected this in many cases, but probably not all.

In order to use the model provisions, four steps are recommended:

- Select those that are deemed appropriate;
- Adapt them;
- Merge and rearrange them;
- Complement them, namely with certain provisions of the [Cross-sectoral Standard Provisions](#).

For questions about this version of the model provisions or if you wish to request or contribute to further sets of model provisions, please contact us.

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# A. General Provisions

**Purpose and Scope/Application:** This Law aims to protect and promote the well-being of vulnerable persons and persons with special needs. It applies to vulnerable persons and persons with special needs as defined below. However, Chapters ... do not apply to the following types of persons: ... <sup>1</sup>.

**Rights-based Interpretation:** This Law is to be interpreted in the light of the following rights, with the aim of maximizing the protection of these rights:

1. **Recognition of Inherent Dignity:** All individuals possess inherent dignity and have the right to its protection.
2. **Right to Autonomy and Self-Determination:** All individuals have the right to exercise control over their own lives.
3. **Right to Full and Effective Participation:** All individuals have the right to participate in all aspects of society.
4. **Right to Equality and Non-Discrimination:** All individuals have the right to equal treatment and protection under the law.
5. **Right to Accessibility:** All individuals have the right to access services, information, and environments.
6. **Right to Liberty:** All individuals have the right to be protected from arbitrary detention.
7. **Right to Security of Person:** All individuals have the right to ensure personal security.
8. **Right to Independent Living:** All individuals have the right to live independently in the community.
9. **Right to Family Life:** All individuals have the right to family unity and maintain family relationships.
10. **Right to Education:** All individuals have the right to access inclusive and quality education.
11. **Right to Health:** All individuals have the right to access healthcare services and health-related information.
12. **Right to Work and Employment:** All individuals have the right to access employment opportunities and fair labor practices.
13. **Right to Adequate Standard of Living:** All individuals have the right to an adequate standard of living, including access to food, housing, and social protection.
14. **Right to Participation in Cultural Life:** All individuals have the right to access and participate in cultural activities and expressions.
15. **Right to Political Participation:** All individuals have the right to participate in political and public life.
16. **Right to Access to Justice:** All individuals have the right to fair treatment and access to justice within the legal system.
17. **Right to Information:** All individuals have the right to access information.
18. **Freedom of expression:** All individuals have the right to freely express their views and opinions.
19. **Right to Privacy:** All individuals have the right to privacy and to the protection of their personal information.
20. **Right to Freedom from Exploitation, Violence, and Abuse:** All individuals have the right to protection from all forms of exploitation, violence, and abuse.
21. **Right to Freedom from Torture or Cruel, Inhuman, or Degrading Treatment:** All individuals have the right to be protected from inhumane treatment.
22. **Right to Nationality:** All individuals have the right to acquire a nationality and to be protected from statelessness.
23. **Right to Identity:** All individuals have the right to legal recognition of their identity and status before the law.
24. **Right to Legal Capacity:** All individuals have the right to make decisions and enter into legal agreements.
25. **Right to Digital Inclusion and Digital Literacy:** All individuals have the right to have access to digital technologies and to receive training necessary for digital participation.
26. **Right to Cultural Sensitivity in Service Provision:** All individuals have the right to services that respect their cultural needs and preferences.
27. **Right to Gender Sensitivity in Service Provision:** All individuals have the right to services that respect their gender needs and preferences.
28. **Right to Meaningful Occupation and Contribution:** All individuals have the right to engage in meaningful occupation and to actively contribute to society.

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<sup>1</sup> The terms 'vulnerable person' and 'person with special needs' overlap. However, not all chapters are meaningful for both groups.

29. **Right to Risk-Taking within Supported Frameworks:** All individuals have the right to engage in risk-taking within supported frameworks that balance autonomy with safety.
30. **Right to Dignity in Dependency:** All individuals have the right to receive care and support in a manner that respects their dignity.
31. **Right to Sexual Expression and Intimate Relationships:** All individuals have the right to express their sexuality and engage in intimate relationships, provided they respect the rights of others and refrain from abuse.
32. **Right to Continuity of Identity across Care Transitions:** All persons have the right to maintain their personal identity during care transitions.
33. **Right to Linguistic Accessibility:** All individuals have the right to access information and services in their preferred language, including through translation and adapted communication.

Further Interpretation Rules: select from Chapter A. of the [Cross-sectoral Standard Provisions](#).

## B. Definitions and Conceptual Frameworks

I. For the purpose of this Law, the following definitions apply:

**“Vulnerable Person”** means an individual who, due to age, disability, illness, or situational factors, [requires particular assistance or] is at a heightened risk of harm, exploitation, or neglect and requires additional protective measures. This includes, but is not limited to, children, elderly persons, persons with disabilities, and individuals experiencing situational vulnerability.

**“Child”** means an individual under the age of ... (e.g. 18).

**“Elderly person”** means an individual aged ... (e.g. 65) or older.

**“Person with a disability” or “Individual with a Disability”<sup>2</sup>** means an individual who has one or more long-term physical, mental, intellectual, or sensory impairment which, in interaction with various barriers, may hinder the individual’s full and effective learning and participation in society on an equal basis with others.

**“Person with special needs” or “individual with special needs”<sup>3</sup>** means a person with disabilities or other characteristics that may hinder the individual’s full and effective learning and participation in society on an equal basis with others.

**“Individual in Situational Vulnerability”** means an individual who is temporarily vulnerable due to circumstances such as relationship or family crisis, natural disasters, armed conflict or other forms of violence, displacement, or adverse socio-economic conditions.

**“Digital Vulnerability”** means an individual’s heightened susceptibility to harm within the digital realm, including but not limited to online fraud, extortion, cyberbullying, and data breaches.

**“Intersectional Vulnerability”** means vulnerability arising from multiple identity factors such as age, disability, gender, race, and socio-economic status.

**“Dignity Harm”** means any action or omission that undermines or violates an individual’s inherent worth and right to be treated with respect and dignity. This includes, but is not limited to, acts of humiliation, degradation, and the denial of autonomy or self-determination.

**“Cognitive Accessibility”** refers to the extent to which products, services, and environments are usable by individuals with cognitive impairments or learning disabilities.

**“Duty Bearers”** means entities, including government agencies, organizations, and individuals, that have a legal or moral obligation to implement protective measures and uphold the well-being and rights of vulnerable persons. This includes a hierarchy of responsibilities, with primary duty bearers being those with direct oversight or caregiving roles.

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<sup>2</sup> It is preferable to choose one of the two terms and to use that term across the legal text.

<sup>3</sup> Idem.

**"Institutional Duty Bearers"** means duty bearers other than individual persons.

**"Support Circle"** means a group of individuals, which may include family members, friends, caregivers, and professionals, who collectively provide support, advocacy, and decision-making assistance to a vulnerable person. The support circle [has legal standing and] is recognised as a key component in the decision-making processes that affect the vulnerable person's life.

**"Protective Measure"** means any action, policy, or intervention designed to safeguard the well-being, rights, and dignity of a vulnerable person. This includes, but is not limited to, legal safeguards, social support services, healthcare, and educational accommodations.

**"Abuse"** means any intentional act or omission that results in harm, exploitation, or maltreatment of a vulnerable person. This includes physical, emotional, sexual, financial, and online abuse[, as well as neglect within labor or institutional settings]<sup>4</sup>.

**"Neglect"** means the failure to provide necessary care, support, or protection to a vulnerable person, resulting in harm or endangerment. This includes the failure to meet basic needs such as food, shelter, healthcare, and emotional support.

**"Exploitation"** means the use of a vulnerable person for personal or financial gain, often involving coercion, manipulation, or deception. This includes labor, sexual, financial, and institutional exploitation.

**"Discrimination"** means any [unjustified] distinction, exclusion, or restriction based on an individual's characteristics, including but not limited to age, disability, gender, race, religion, or socio-economic status, that has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise of human rights and fundamental freedoms.

**"Reasonable Accommodation"** means necessary and appropriate modifications and adjustments made in a particular case to ensure that persons with disabilities enjoy or exercise, on an equal basis with others, all human rights and fundamental freedoms.

**"Universal Design"** means the design of products, environments, programs, and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. It includes consideration of the diverse needs and abilities of all potential users.

**"Accessibility"** means the condition of being easily reached, entered, or used by individuals with varying abilities and needs. This includes physical accessibility to buildings and environments, as well as digital access to information and communication technologies.

**"Inclusive Environments"** refers to settings designed to be welcoming, supportive, and accessible to all individuals, regardless of ability, background, or need. These include physical, social, and digital spaces that promote participation, engagement, and a sense of belonging.

**"Supported Decision-Making"** refers to a process whereby individuals with disabilities or other vulnerabilities are provided with the support necessary to make decisions about their lives. This includes access to information, advice, and communication support. This framework emphasizes autonomy and self-determination while providing the necessary assistance to enable informed decision-making.

**"Best Interests Principle"** means that all actions and decisions concerning a vulnerable person must be guided by what is in their best interests, ensuring the primacy of their well-being, rights, and dignity in all decision-making processes.

**"Institutional Care Types"** refers to forms of residential care provided in institutional settings, including but not limited to:

**1. Residential Care Facilities:** Settings providing long-term care and support for individuals requiring assistance with daily living activities.

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<sup>4</sup> 'Neglect' can be defined either as a term independent of 'abuse', or as a subset of 'abuse', or only as a subset of 'abuse' when it occurs in a labour or institutional setting. Where the same legal consequences are always attributed to 'abuse' and 'neglect', it is preferable to define 'neglect' as a subset of 'abuse'.

**2. Group Homes:** Small-scale residential settings offering care and support to a limited number of individuals in a home-like environment.

**3. Nursing Homes:** Facilities offering medical care and support to individuals with significant healthcare needs.

**4. Assisted Living Facilities:** Residential settings that offer supportive services and assistance for daily living activities while promoting independence.

"**Community-Based Care Models**" refer to approaches that provide care and support to vulnerable individuals within their communities, rather than in institutional settings. These models include, but are not limited to:

**1. Home and Community-Based Services:** Services provided in the individual's home or community to support independent living.

**2. Supported Living Arrangements:** Residential settings that offer support and assistance while promoting independence and community integration.

**3. Day Programs:** Programs that provide daytime structured activities, social engagement, and support while enabling individuals to live in their homes.

**4. Respite Care:** Temporary care services designed to relieve primary caregivers and support families.

## II. Classification of Vulnerability by Level of Risk

Vulnerability shall be classified into levels based on the degree of risk and the corresponding need for protective measures, as follows:

**1. Low Vulnerability:** Individuals who require minimal protective measures, as they are capable of managing most aspects of their lives independently.

**2. Moderate Vulnerability:** Individuals who require some level of support and protective measures to ensure their well-being and safety.

**3. High Vulnerability:** Individuals who require significant protective measures due to severe impairments or situational factors that place them at high risk of harm.

## III. Classification of Vulnerability by Duration and Context

Vulnerability shall be classified based on its duration and context, as follows:

**1. Permanent Vulnerability:** Lifelong conditions that are unlikely to change, such as certain physical disabilities.

**2. Temporary Vulnerability:** Conditions that are expected to resolve over time, such as recovery from an illness or injury.

**3. Situational Vulnerability:** Conditions that arise from specific [external] circumstances, such as natural disasters or conflicts.<sup>5</sup>

**4. Transitional Vulnerability:** Conditions that occur during periods of significant life change [caused by intrinsic circumstances], such as transitions from institutional care to independent living.

## IV. Reference to International Standards

In addition to the definitions and frameworks listed above, this Law applies the definitions and frameworks provided in the *World Health Organization's International Classification of Functioning, Disability, and Health (ICF)* to standardize the assessment and classification of functioning and disability, as applicable at

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<sup>5</sup> It would be possible to clarify the relationship between situational vulnerability and transitional vulnerability, for instance by the additions in square brackets. Without the square brackets, the two terms are largely overlapping.

the time of adoption of this Law **OR**<sup>6</sup> as most recently amended. This includes the use of ICF codes and categories to describe body functions and structures, activities, participation, and environmental factors that influence an individual's functioning.

N.B.: Select further definitions and connected rules from Chapter C. of the [Cross-sectoral Standard Provisions](#).

## C. Legal Capacity, Decision-Making and Guardianship

This Law recognises the legal capacity of all persons, ensuring that every individual is presumed to have the capacity to make decisions regarding their personal affairs, financial matters, and healthcare. A framework for supported decision-making is established to enable individuals to exercise their legal capacity, with a range of support arrangements available to accommodate diverse needs.

The responsible authority (hereafter: "Authority") and institutional duty bearers must support decision-making by humans by ensuring that individuals receive the necessary assistance to make informed decisions. These mechanisms include informal support, such as advice from family or friends, as well as formal arrangements, including support from professionals or appointed representatives. The Government / Authority may, by virtue of ...<sup>7</sup>, establish procedures for the formalization of support arrangements to ensure that agreements are legally recognised and enforceable.

Institutional duty bearers must establish multi-person support panels with appropriate checks and balances to ensure fair, transparent, and accountable decision-making processes.. These panels must include individuals who are familiar with the person's needs and preferences, as well as professionals with expertise in supported decision-making.

To protect individuals from undue influence or conflicts of interest, the Authority and institutional duty bearers must implement safeguards. These safeguards must include measures to prevent manipulation, coercion, and exploitation, ensuring that decisions are made freely and in accordance with the individual's best interests.

The Authority and institutional duty bearers must establish clear criteria and procedures for emergency interventions in situations where immediate decision-making is required to protect the individual's well-being or safety. These interventions must be time-limited and subject to regular review to ensure that they are necessary and proportionate.

The Authority and duty bearers must allow individuals to express their preferences regarding future healthcare and decision-making support through advance directives. These directives must be legally binding and respected in all decision-making processes.

The Authority and duty bearers must recognise power of attorney arrangements, allowing individuals to appoint a trusted person to make decisions on their behalf. These arrangements must be subject to legal safeguards to prevent abuse and ensure that decisions are made in accordance with the individual's best interests.

The Authority and duty bearers must allow individuals to designate a representative to make healthcare decisions on their behalf through healthcare proxy provisions. These proxies must act in accordance with the individual's wishes and best interests. Where a conflict arises between the individual's wishes and its best interests, the latter shall prevail.

The Authority must establish decision-making skill development programs as a legal requirement to enhance the autonomy and decision-making capacity of individuals. These programs must provide education, training, and support to help individuals develop the skills necessary to make informed decisions.

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<sup>6</sup> If you choose "as last amended", you create what is known as a dynamic reference. A dynamic reference cedes control of the applicable text to another institution. Dynamic references are therefore illegal in some jurisdictions.

<sup>7</sup> Define the appropriate type of regulations.

The Authority and financial institutions [as defined in ... <sup>8</sup>] must ensure that banking and other financial services are accessible to all individuals, regardless of their decision-making capacity. Financial institutions must provide reasonable accommodations to support individuals in managing their financial affairs.

The Government / Authority may, by virtue of ... <sup>9</sup>, establish representative payee systems to manage financial benefits for individuals who require assistance with financial decision-making. These systems must include safeguards to prevent financial exploitation and ensure that all funds are used for the individual's benefit.

The Authority must implement technology-assisted decision-making frameworks to support vulnerable persons, their representatives, and guardians through assistive technologies. The Authority must develop or regulate digital decision-making assistance tools to ensure that they are effective, secure, and respectful of the individual's privacy and autonomy.

Guardianship must be considered as a last resort and limited in scope to decisions where the individual lacks capacity and no less restrictive alternative is available.

The Government / Authority may, by virtue of ... <sup>10</sup>, establish a procedure<sup>11</sup> and systems for guardianship<sup>12</sup>. The procedure must include the assessment of the qualification and integrity of candidate guardians.

The Government / Authority must, in the same act, establish periodic review requirements to regularly assess the need for guardianship and to ensure that the individual's rights and preferences are respected. The Government / Authority must establish modification procedures to allow for changes to support and guardianship arrangements as the individual's needs and circumstances change. The Government / Authority must also establish termination procedures to end guardianship or support arrangements when they are no longer necessary or appropriate. The Government / Authority must provide appeal mechanisms to individuals to challenge decisions related to their legal capacity and to seek review of support or guardianship arrangements<sup>13</sup>. These mechanisms must be fair, transparent, and accessible to all individuals.

The Government / Authority must, in the same act, establish transition provisions to facilitate the shift from substituted decision-making (e.g., guardianship) to supported decision-making. These provisions must ensure that individuals are supported in exercising their legal capacity to the greatest extent possible.

The same act must provide for the following:

- Cultural competency standards for assessors, to ensure that assessments are conducted in a manner that respects the individual's cultural background and values;
- Training requirements for assessors, to ensure they are qualified to evaluate decision-making capacity and provide culturally appropriate support;
- Decision-making capacity assessment protocols to provide a standardized framework for assessing an individual's ability to make decisions. These protocols must consider the individual's cognitive, emotional, and situational factors, as well as the complexity of the decision and the potential consequences;
- Fluctuating capacity protocols for individuals with episodic conditions, allowing for flexibility in decision-making support based on the individual's changing capacity;
- Micro-decision frameworks to recognize and support decision-making capacity at a granular level, tailored to the specific context and requirements of each decision;

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<sup>8</sup> Refer to a legal act defining “financial institutions” or add a definition in this Law.

<sup>9</sup> Define the appropriate type of regulation.

<sup>10</sup> Define the appropriate type of regulation.

<sup>11</sup> See e.g. the provisions on licensing in Chapter D of the [Cross-sectoral Standard Provisions](#).

<sup>12</sup> In some jurisdictions, rules on guardianship must be adopted by the legislator. The following provisions can be used as checklist for such legislation

<sup>13</sup> The appeal procedure can be an immediate court procedure or a court procedure preceded by an administrative appeal. In certain jurisdictions, the initial decision on guardianship is already taken by a court.

- Capacity presumption protocols to presume that individuals have the capacity to make decisions within specific domains, unless there is evidence to the contrary;
- Financial capacity assessments separate from general decision-making capacity to ensure that individuals receive the appropriate level of support for managing their financial affairs.

The Government / Authority may, by virtue of ...<sup>14</sup>, establish decision validation mechanisms to ensure that decisions are made in accordance with the individual's wishes and best interests. These mechanisms must be distinct from decision support and must include independent review and verification of decisions.

## **D. Detection<sup>15</sup> and Investigation of Abuse [and Neglect]<sup>16</sup>**

The Government, the Authority, and institutional duty bearers must actively enforce legal measures to prohibit all forms of abuse [and neglect]. This includes applying and enforcing laws that criminalize such acts, establishing penalties for offenders, and implementing prevention programs aimed at addressing the root causes of abuse and neglect.

To detect abuse and neglect early, the Authority must develop and implement early identification mechanisms. These mechanisms must include regular training sessions for professionals working with vulnerable individuals, such as healthcare providers, teachers, and social workers. Their training must cover recognising the signs of abuse and neglect, as well as protocols for reporting suspected cases. Additionally, the Authority must launch public awareness campaigns to educate the general population about the indicators of abuse and neglect, encouraging community involvement in detection efforts.

The Authority must develop and disseminate screening protocols to various institutions and organisations that interact with vulnerable populations. These protocols must include standardized risk assessment tools such as questionnaires and observation checklists. The Authority must regularly update these protocols based on the latest research and best practices to ensure their effectiveness.

The Authority [and institutional duty bearers] must implement preventive monitoring systems to continuously track individuals who have been identified as being at risk. These systems must utilize advanced technologies, such as data analytics and machine learning, to identify behavioral patterns indicative of abuse or neglect. The Authority must regularly review these systems to ensure they remain effective and up-to-date.

The Authority must conduct predictive vulnerability assessments to strategically allocate resources and implement preventive measures. These assessments must use data-driven models to identify high-risk individuals and environments, allowing for targeted interventions before abuse or neglect occurs.

The Authority must develop and distribute risk assessment tools to all duty bearers, authorities and stakeholders. These tools must be user-friendly and adaptable to various settings, including healthcare facilities, schools, and community centers. The Authority must provide regular training on the use of these tools to ensure consistent and accurate application.

The Authority must establish clear, evidence-based risk assessment protocols outlining procedures and criteria for evaluating the likelihood and severity of abuse or neglect. These protocols must be regularly updated in line with emerging best practices and new findings.

To proactively identify patterns of abuse and neglect, the Authority must implement algorithm-based early warning systems. These systems must analyse data from multiple sources, including financial transactions,

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<sup>14</sup> Define the appropriate type of regulations.

<sup>15</sup> Various provisions of this Chapter refer to risks and their identification. See in this regard also Chapter I. of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>16</sup> As explained above: 'Neglect' can be defined either as a term independent of 'abuse', or as a subset of 'abuse', or only as a subset of 'abuse' when it occurs in a labour or institutional setting. Where the same legal consequences are always attributed to 'abuse' and 'neglect', it is preferable to define 'neglect' as a subset of 'abuse'.

digital communications, and reports from service providers. They must be designed to detect anomalies and patterns that may indicate abuse or neglect, triggering alerts for further investigation.

Financial transaction monitoring must be conducted with specific indicators for vulnerability-related activities. Financial institutions must monitor for suspicious or unauthorised transactions and promptly report any suspected financial exploitation to the relevant authorities.

[With the consent of the individuals involved,] The Authority must monitor digital footprints to detect potential abuse or neglect in online environments. This includes analyzing social media activity, email communications, and other digital interactions for signs of exploitation or harm. Strict privacy protections must be in place to ensure that monitoring is conducted lawfully and ethically..

Institutional duty bearers, authorities, schools, healthcare providers, health insurers, social services, financial institutions, notaries, attorneys, and their staff, as well as other persons, must report cases of suspected abuse [or neglect] to the Authority via a dedicated alert portal established by the Authority. The alert portal must support anonymous two-way-communication.

The Government / Authority may, by virtue of ... <sup>17</sup>, issue detailed regulations on mandatory reporting. These provisions must clearly specify the cases when to report or not to report, the procedures for reporting, the legal protections available for reporters and other witnesses, and the applicable penalties and other sanctions<sup>18</sup>.

The Authority must establish confidential reporting mechanisms to ensure that individuals can report suspected abuse or neglect without fear of retaliation or exposure. These mechanisms must include secure and anonymous channels for reporting, as well as protections for the confidentiality of the reporter's identity. Regular audits of these mechanisms must be conducted to ensure their effectiveness and security.

The Authority must in particular set up an alert portal<sup>19</sup> with anonymous two-way communication to allow individuals to report concerns or seek help without revealing their identity. The portal must be easily accessible, user-friendly, and equipped with clear instructions and user support. The portal must be monitored continuously to ensure that reports are addressed promptly and appropriately.

The Authority must take active measures to protect reporters and witnesses from retaliation or harm.<sup>20</sup> These include legal protections, access to support services, and relocation assistance if necessary. Regular follow-ups must be conducted to ensure the safety and well-being of reporters and witnesses throughout the investigation process.

The Authority must develop and enforce investigation procedures to ensure that allegations of abuse and neglect are thoroughly and impartially examined. These procedures must include guidelines for conducting interviews, gathering evidence, and documenting findings. Regular training on these procedures must be provided to investigators to ensure consistency and effectiveness.

The Authority must standardize evidence collection protocols to ensure that all relevant information is properly preserved. This includes guidelines for collecting physical evidence, conducting forensic examinations, and documenting witness statements. Training on evidence collection must be provided regularly to ensure that investigators are equipped with the necessary skills and knowledge.

The Authority must implement trauma-informed investigation protocols to minimize re-traumatization of victims during investigative processes. These protocols must include guidelines for interviewing victims, providing support services, and ensuring the safety and well-being of those involved. Regular training on these protocols must be provided to investigators to ensure they are followed consistently.

To further protect victims during the investigation process, the Authority must implement secondary victimization prevention measures. This includes providing accessible support services to victims, training

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<sup>17</sup> Define the appropriate type of regulation.

<sup>18</sup> In quite some jurisdictions an authority cannot be empowered to set out sanctions in which case the sanctions regime needs to be set out by the Law. See Section 65 and Module 1 of the [Cross-sectoral Standard Provisions](#), the complementing [List of Sanctions and Accompanying Measures](#) and the Sanctions of the Regulatory Institute's [Model Law on Corruption](#) as inspiration for a sanctions regime.

<sup>19</sup> See Section 68 of the [Cross-sectoral Standard Provisions](#).

<sup>20</sup> It is recommended to complement these provisions by those of Sections 69 and 70 of the [Cross-sectoral Standard Provisions](#) or to create the power for the Authority to do so.

investigators and related personnel, and conducting regular reviews of investigation processes to identify areas for improvement.

The Authority has the necessary powers to investigate cases of abuse and neglect effectively. This includes the authority to access and copy relevant records and data, to confiscate documents, computers and other data storage media, to take pictures, to conduct recorded interviews, and to share information and to coordinate with other national or international agencies and organisations<sup>21</sup>.

## E. Generic Abuse and Neglect Prevention Framework<sup>22</sup>

The Authority [and institutional duty bearers] must develop and implement safety planning procedures to ensure the protection of individuals at risk of abuse and neglect. These procedures must include comprehensive risk assessments, the development of personalised safety plans, and regular reviews to address changing circumstances or emerging risks.

The Government / Authority may, by virtue of ...<sup>23</sup>, establish long-term monitoring requirements and schemes to continuously track individuals who are at risk of abuse or neglect. This monitoring must involve regular check-ins, assessments of living conditions, and evaluations of changes in health or behavior that may indicate abuse or neglect.

The Government / Authority may, by virtue of ...<sup>24</sup>, mandate the establishment of prevention programs designed to address the root causes of abuse and neglect. These programs must include educational initiatives, community outreach, and support services aimed at reducing the incidence of abuse and neglect.

The Authority must lead public awareness campaigns across various media platforms, including television, radio, and social media. These campaigns must provide clear guidance on recognizing signs of abuse, reporting procedures, and available support and intervention services.

The Government / Authority may, by virtue of ...<sup>25</sup>, require professionals who interact with vulnerable individuals to undergo training in abuse and neglect prevention and recognition. This training must cover identifying signs of abuse, appropriate reporting procedures, and strategies for supporting at-risk individuals.

The Government / Authority may, by virtue of ...<sup>26</sup>, mandate the establishment of institutional prevention policies addressing abuse and neglect within institutional settings. These policies must include staff training guidelines, reporting procedures, and response protocols.

The Government / Authority may, by virtue of ...<sup>27</sup>, require workplaces to implement abuse and neglect prevention policies, including guidelines on identifying signs of abuse, reporting mechanisms, and support services for affected employees.

The Government / Authority may, by virtue of ...<sup>28</sup>, establish certification requirements for institutional duty bearers and their staff in particular to ensure a high service quality and that they are trained and equipped to prevent abuse and neglect<sup>29</sup>. This certification must include comprehensive training on recognising signs of abuse, appropriate intervention strategies, and protocols for reporting suspected cases.

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<sup>21</sup> These powers are not complete and do not cover all needs. It is recommended to provide further powers, e.g. those of Section 64 of the [Cross-sectoral Standard Provisions](#) and of the complementing [List of Powers and Obligations](#).

<sup>22</sup> Some paragraphs from the previous Chapter could be placed into this Chapter or vice versa. Some paragraphs of this Chapter overlap in terms of content. It is recommended to be selective or to merge overlapping paragraphs.

<sup>23</sup> Define the appropriate type of regulation.

<sup>24</sup> Define the appropriate type of regulation.

<sup>25</sup> Define the appropriate type of regulation.

<sup>26</sup> Define the appropriate type of regulation.

<sup>27</sup> Define the appropriate type of regulation.

<sup>28</sup> Define the appropriate type of regulation.

<sup>29</sup> See e.g. the provisions on licensing in Chapter D of the [Cross-sectoral Standard Provisions](#).

To simplify service access for vulnerable individuals, the Government / Authority may, by virtue of ...<sup>30</sup>, bundle service authorisation or certification processes, recognizing overlapping requirements and streamlining application and approval steps.

The Authority must implement primary prevention programs aimed at addressing factors contributing to abuse and neglect before they occur. These programs must focus on education, community engagement, and support services.

The Authority must develop and implement family strengthening interventions, including counselling, parenting education, and support services, to help families prevent abuse and neglect while strengthening familial bonds and reducing stress within the household.

The Authority must establish parenting skills programs to equip parents with techniques in communication, discipline, and stress management that help prevent abuse and neglect.

The Authority must conduct community education and awareness initiatives on the prevention of abuse and neglect, working with community leaders and organizations to build a culture of safety and collective responsibility.

The Authority must implement school-based prevention programs to educate students on recognizing abuse and neglect, seeking help, and supporting peers. These programs must be integrated into the school curriculum and supported by trained educators and counselors.

The Authority must apply institutional prevention policies that address and prevent abuse and neglect within institutional settings. These policies must include guidelines for staff training, reporting procedures, and protocols for responding to allegations of abuse or neglect.

The Authority must provide support to caregivers to help them prevent abuse and neglect. This support must include access to resources, training, and counseling services designed to reduce stress and enhance caregiving skills.

The Authority must develop and implement stress reduction programs aimed at preventing abuse and neglect by addressing the underlying stressors that contribute to abusive behavior. These programs must include counseling services, support groups, and stress management techniques.

The Authority must establish respite care services to provide temporary relief for caregivers, helping to prevent abuse and neglect by reducing caregiver stress and burnout. These services must be accessible and tailored to the needs of both caregivers and care recipients.

The Authority and institutional duty bearers must create peer support networks to provide vulnerable individuals with community-based resources, shared learning opportunities, and emotional support.

The Authority must offer self-advocacy training to empower individuals to advocate for themselves and seek support when needed. This training must include education on recognizing abuse, understanding rights, and effectively communicating needs and concerns.

The Authority must conduct digital safety education to teach individuals about staying safe online and recognizing the signs of digital abuse and exploitation. This education must cover topics such as online privacy, secure communication practices, and reporting suspicious or harmful online activities.

The Authority must implement financial literacy programs to educate individuals about managing their finances and protecting themselves from financial exploitation. These programs must cover budgeting, saving, investing, and recognizing the signs of financial abuse.

The Authority must require professionals who work with vulnerable individuals to undergo training on abuse prevention. This training must cover recognizing the signs of abuse, appropriate intervention strategies, and protocols for reporting suspected cases.

The Authority must conduct research and data collection on the prevalence, causes, and effects of abuse and neglect. Findings must inform evidence-based prevention strategies and policymaking.

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<sup>30</sup> Define the appropriate type of regulation.

The Authority must use evidence-based prevention models to develop strategies that effectively address and prevent abuse and neglect. These models must be based on research and best practices, and regularly reviewed and updated to ensure their effectiveness.

The Authority must conduct community vulnerability mapping to identify areas and populations at higher risk of abuse and neglect. This mapping must inform targeted prevention strategies and resource allocation to address the specific needs of vulnerable communities.

The Authority must design and apply behaviorally informed micro-interventions that address root causes of abuse and neglect at an individual or community level.

The Authority must establish environmental design requirements to create safe and supportive environments that reduce the risk of abuse and neglect. These requirements must be based on principles of Crime Prevention Through Environmental Design (CPTED) and integrated into the design and management of public spaces, institutions, and workplaces.

The Authority must conduct vulnerability-specific stress-testing for systems and services to identify and address potential weaknesses that could contribute to abuse and neglect. This stress-testing must involve simulating high-stress scenarios to evaluate the resilience and effectiveness of prevention measures.

The Authority must develop prevention incentive structures to encourage institutional duty bearers to implement effective prevention strategies and programs. These incentives must include financial rewards, recognition programs, and professional development opportunities.

The Authority must mandate intergenerational programs to promote social inclusion and prevent isolation. These programs must encourage relationship-building between generations through shared activities and learning opportunities.

The Authority must establish privacy-preserving data-sharing protocols to support prevention efforts while ensuring strict safeguards on data collection, storage, and exchange.

The Government / Authority may, by virtue of ...<sup>31</sup>, mandate cultural competency certification for prevention interventions to ensure that services and programs are culturally appropriate and respectful of the diverse backgrounds of individuals. This certification must include training on cultural sensitivity, awareness of cultural differences, and the integration of cultural practices into prevention strategies.

The Authority must implement social connection prescription frameworks to combat isolation and foster networks of support. These frameworks must include initiatives that encourage social engagement, community participation, and the development of supportive relationships.

## **F. State Intervention and Connected Services**

The Authority has all the powers to protect individuals from presumed abuse and neglect.<sup>32</sup> The Government / Authority may/must, by virtue of ...<sup>33</sup>, determine the precise conditions and modalities under which these powers are exercised. That Act may/must, in particular, establish clear rules for when and how temporary custody can be granted, ensuring that the process is fair, transparent, and respectful of the rights of the individuals concerned.

The Authority has the power to allow the removal of individuals from situations of presumed abuse and neglect. This includes intervention powers to relocate individuals to safe settings. The Government / Authority may, by virtue of ...<sup>34</sup>, develop protocols to ensure removals are conducted safely, efficiently, and with full regards for the individual's well-being and dignity.

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<sup>31</sup> Define the appropriate type of regulation.

<sup>32</sup> This generic clause might not be lawful in quite many jurisdictions, because it gives tremendous leeway to the administration and creates issues of legal certainty. The legal certainty issues can be partly remedied by the following two sentences, but not the loss of parliamentary control.

<sup>33</sup> Define the appropriate type of regulation.

<sup>34</sup> Define the appropriate type of regulation.

The Authority has the power to issue legal protection orders against presumed abusers and duty bearers, aimed at safeguarding individuals from further abuse or neglect. Such orders must specify protective measures and restrictions. The Government / Authority may, by virtue of ...<sup>35</sup>, establish procedures for the issuance, enforcement, and review of these orders, ensuring their effectiveness and compliance by all relevant parties.

The Authority has the power to issue and enforce no-contact orders and geographic exclusion orders to prevent presumed abusers from contacting or approaching victims. These orders must prohibit all forms of communication or interaction and be rigorously enforced to ensure the safety and well-being of the victim. The Authority may require communication service providers and other intermediaries to block contact attempts between presumed abusers and victims.

The Authority may mandate the use of electronic monitoring devices on presumed abusers to alert the victim, the Authority, and law enforcement in the event of physical proximity. Such devices may be affixed directly by the Authority or the police, particularly where a presumed abuser has violated prior obligations or where there is a high risk of serious harm. The Government or Authority may, by virtue of ...<sup>36</sup>, further regulate the use and enforcement of such monitoring mechanisms.

The Authority may grant the police the authority to intervene in cases of presumed abuse and neglect, including authority to act immediately upon receipt of credible reports. The Authority shall coordinate closely with the police and other relevant agencies to ensure lawful, effective, and timely intervention.

The Authority may itself or in coordination with the police execute emergency interventions in cases of imminent danger resulting from abuse or neglect. The Authority must establish protocols for such emergency interventions and provide training and resources to ensure they are conducted safely and effectively.

The Authority must establish graduated intervention thresholds based on the level of vulnerability and risk, ensuring that interventions are proportionate to the needs and risk of the individual. These thresholds must be informed by child protection risk assessment models and regularly reviewed to ensure their effectiveness.

The Authority must implement measures to recognise and address coercive control within specific vulnerability contexts. This includes training professionals to identify signs of coercive control, establishing protocols for intervention, and providing support services to victims.

The Government / Authority may, by virtue of ...<sup>37</sup>, develop specific provisions to facilitate intervention in cases of exploitation occurring in “friendly” settings, where abuse is perpetrated in relationships of trust. These provisions must include guidelines for recognising signs of abuse, protocols for reporting and intervention, and support services for victims.

The Authority [and institutional duty bearers] must provide comprehensive victim support services to assist victims of abuse in recovering and rebuilding their lives. These services must include counseling, medical care, legal support, and access to safe housing.

The Authority [and institutional duty bearers] must offer rehabilitation services to help victims of abuse recover from their experiences. These services must include physical therapy, mental health support, and vocational training to assist victims in regaining independence and reintegrating into society.

The Authority [and institutional duty bearers] must conduct comprehensive needs assessments to evaluate the specific needs of victims. These assessments must cover physical, emotional, social, and economic needs, and must be used to develop personalised service plans.

The Authority [and institutional duty bearers] must adopt a person-centered planning approach to develop service plans that are tailored to the unique needs and preferences of each victim. This approach must involve active participation from the individual and their support network in the planning process.

The Authority must implement a case management system to ensure coordinated service delivery. This system must include protocols for tracking progress, coordinating services, and ensuring that all relevant parties are involved in the care and support of the victim.

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<sup>35</sup> Define the appropriate type of regulation.

<sup>36</sup> Define the appropriate type of regulation.

<sup>37</sup> Define the appropriate type of regulation.

The Authority must develop individualised service plans that are tailored to the specific needs and circumstances of each vulnerable individual or victim<sup>38</sup>. These plans must be flexible and adaptable, allowing for adjustments as the individual's needs and situation change.

The Authority must provide crisis intervention services to address urgent needs and emergencies involving vulnerable individuals. These services must be available 24/7 and include immediate support, temporary shelter, and access to essential resources.

The Authority must establish an emergency response system to quickly and effectively address emergencies involving vulnerable individuals<sup>39</sup>. This system must include protocols for rapid deployment of resources, coordination with emergency services, and continuous monitoring of the situation.

The Authority must offer home-based services to provide support and care to vulnerable individuals in their own homes. These services must include medical care, personal assistance, and support with daily living activities.

The Authority must provide community-based services to support vulnerable individuals within their communities. These services must include access to local resources, community integration programs, and support groups.

The Government / Authority may, by virtue of ...<sup>40</sup>, establish institutional care standards to ensure that institutional care settings meet the highest standards of quality and safety. These standards must include guidelines for staff training, facility maintenance, and resident care. These standards must be based on best practices and regularly reviewed to ensure their relevance and effectiveness.

The Government / Authority may, by virtue of ...<sup>41</sup>, set requirements for day programs to ensure that they provide meaningful activities, socialization opportunities, and support services for vulnerable individuals. These programs must be tailored to the needs and interests of participants and must be regularly reviewed to ensure their effectiveness.

The Authority must provide respite services to offer temporary relief for individual duty bearers, helping to prevent burnout and ensure the well-being of both individual duty bearers and those they care for. These services must be accessible and tailored to the needs of both individual duty bearers and vulnerable individuals.

The Authority must offer counseling services to provide emotional support and guidance to vulnerable individuals. These services must be provided by trained professionals and must be accessible and confidential.

The Authority must provide therapeutic services to help vulnerable individuals address emotional, psychological, and behavioral challenges. These services must include individual and group therapy sessions, as well as access to specialised treatment programs.

The Authority must offer rehabilitation services to help individuals recover from injuries, illnesses, or disabilities. These services must include physical therapy, occupational therapy, and other specialised treatments designed to restore function and improve quality of life.

The Authority must provide habilitation services to help individuals develop the skills necessary for independent living. These services must include training in daily living skills, vocational training, and support with integrating into the community.

The Authority must ensure the provision of assistive technology to vulnerable individuals who require it to participate fully in society. This includes devices and equipment designed to assist with mobility, communication, and daily living activities.

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<sup>38</sup> We transit here from the measures targeting victims to measures targeting vulnerable persons in general.

<sup>39</sup> Consider replacing them with "vulnerable persons".

<sup>40</sup> Define the appropriate type of regulation.

<sup>41</sup> Define the appropriate type of regulation.

The Authority must establish a technical aid distribution system to ensure that assistive devices are readily available to those who need them. This system must include protocols for assessing need, distributing devices, and providing training and support for their use.

The Authority must provide training on the use of assistive devices to ensure that individuals are able to effectively utilize the technology provided to them. This training must be ongoing and adapted to the changing needs and abilities of the individual.

The Authority must implement maintenance services for assistive devices to ensure that they remain in good working order and continue to meet the needs of the individual. These services must include regular inspections, repairs, and updates as needed.

The Authority must provide transportation services to ensure that vulnerable individuals have access to the support and resources they need. These services must be reliable, accessible, and tailored to the specific needs of the individual.

The Authority must offer information and referral services to connect vulnerable individuals with the resources and support they need. These services must be easily accessible and provide comprehensive information on available programs, eligibility requirements, and application processes.

The Authority must implement follow-up and monitoring protocols to track the progress of vulnerable individuals and ensure that their needs are being met. These protocols must include regular check-ins, assessments of progress, and adjustments to service plans as needed.

The Government / Authority may, by virtue of ... <sup>42</sup>, mandate institutional duty bearers to meet performance measurement requirements to ensure that they are delivering high-quality services. These requirements must include regular assessments of service effectiveness, client satisfaction, and outcomes.

The Authority must conduct user satisfaction assessments to evaluate the effectiveness and quality of services provided to vulnerable individuals. These assessments must be based on feedback from service users and must inform continuous improvement efforts.

The Authority must ensure that vulnerable individuals have the right to request specific services that meet their unique needs and preferences. This includes providing clear information on available services, eligibility criteria, and application processes.

The Authority must guarantee no wrong door service access, ensuring that vulnerable individuals can easily access the services they need without being redirected or delayed. This involves streamlining service delivery processes and ensuring that all relevant parties are involved in the care and support of the individual.

The Authority must establish digital service delivery standards that accommodate the specific needs of vulnerable individuals. These standards must include guidelines for accessibility, usability, and security, ensuring that digital services are effective and respectful of the individual's privacy.

The Authority must implement service coordination technology platforms with privacy safeguards to facilitate the coordination of care and support services. These platforms must enable secure communication and data sharing between service providers, ensuring that all relevant parties are involved in the care and support of the individual.

The Authority must enforce proactive service offer requirements for known vulnerable persons, ensuring that they are actively engaged in service delivery and support. This involves regular outreach, follow-up, and coordination with service providers to ensure that the individual's needs are being met.

The Authority [and institutional duty bearers] must develop warm handoff protocols between services to ensure continuity of care and support. These protocols must include guidelines for transitioning individuals between services, coordinating care, and ensuring that all relevant parties are involved in the process.

The Authority [and institutional duty bearers] must require cultural adaptation of standardised services to ensure that they are respectful of the individual's cultural background and values. This includes integrating

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<sup>42</sup> Define the appropriate type of regulation.

cultural practices into service delivery, providing culturally appropriate support, and training service providers on cultural competency.

Institutional duty bearers must incorporate a vulnerability coefficient in service planning algorithms to ensure that services are distributed equitably and effectively. This involves using data-driven models to identify high-risk individuals and environments, allowing for targeted interventions and resource allocation.

The Authority must conduct ecological service mapping to identify gaps in service delivery and ensure that all vulnerable individuals have access to the support they need. This mapping must involve assessing the availability and accessibility of services, as well as the specific needs and preferences of the individual.

## G. Care Systems

The Authority must prioritise family preservation in all care decisions, ensuring that efforts are made to keep families together whenever possible. This involves providing support services to families at risk of separation, including counseling, financial assistance, and parenting education, to address the underlying issues that may lead to family breakdown.

The Authority must implement family reunification provisions to facilitate the reunification of families that have been separated due to care interventions. These provisions must include support services such as counseling, mediation, and reintegration programs to help families rebuild and maintain healthy relationships.

The Government / Authority may/must, by virtue of ...<sup>43</sup>, regulate kinship care to ensure that relatives who take on the care of children are provided with the necessary support and resources. This includes establishing guidelines for kinship care arrangements, providing financial assistance, and offering training and support services to kinship caregivers.

The Government / Authority may/must, by virtue of ...<sup>44</sup>, establish a comprehensive framework for foster care, outlining the standards, procedures, and support services necessary to ensure the well-being and safety of children in foster care. This framework must include guidelines for the recruitment, training, and support of foster parents, as well as protocols for placing children in foster care and monitoring their progress.

The Government / Authority may/must, by virtue of ...<sup>45</sup>, set clear qualification requirements for foster parents to ensure that only individuals who are suitably equipped and motivated are approved to care for children. These qualifications must include background checks, training requirements, and ongoing assessments to ensure that foster parents continue to meet the necessary standards.

The Government / Authority must, by virtue of ...<sup>46</sup>, develop and enforce procedures for placing children in foster care, ensuring that placements are made in the best interests of the child and with consideration for their unique needs and circumstances. These procedures must include assessments of the child's needs, evaluations of potential foster homes, and ongoing monitoring to ensure the placement remains suitable.

The Authority must actively monitor foster care placements to ensure that children are safe, well-cared for, and thriving in their foster homes. This monitoring must include regular home visits, interviews with the child and foster parents, and assessments of the child's progress and well-being.

The Government / Authority may/must, by virtue of ...<sup>47</sup>, regulate group homes to ensure that they provide a safe, supportive, and nurturing environment for children who cannot be placed in family-based care. These regulations must include standards for staff training, facility maintenance, and the provision of services and activities that promote the children's development and well-being.

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<sup>43</sup> Define the appropriate type of regulation.

<sup>44</sup> Define the appropriate type of regulation.

<sup>45</sup> Define the appropriate type of regulation.

<sup>46</sup> Define the appropriate type of regulation.

<sup>47</sup> Define the appropriate type of regulation.

The Government / Authority may/must, by virtue of ... <sup>48</sup>, establish standards for residential care to ensure that all residential care facilities meet the highest standards of quality and safety. These standards must include guidelines for staff training, facility maintenance, and the provision of services and activities that support the residents' health, well-being, and development.

The Authority must enforce quality requirements for institutional care to ensure that all institutional care settings provide a safe, supportive, and dignified environment for residents. These requirements must include guidelines for staff training, facility management, and the provision of services and activities that meet the residents' needs and promote their well-being.

The Government / Authority may/must, by virtue of ... <sup>49</sup>, develop a comprehensive framework for adoption [of minors], outlining the standards, procedures, and support services necessary to ensure the well-being and best interests of adopted minors. This framework must include guidelines for the assessment and approval of adoptive parents, the matching of minors with adoptive families, and post-adoption support services.

The Government / Authority may/must, by virtue of ... <sup>50</sup>, establish and implement safeguards for inter-country adoption to protect children from exploitation and ensure that inter-country adoptions are conducted in accordance with international laws and standards. These safeguards must include strict regulations for adoption agencies, thorough assessments of prospective adoptive parents, and ongoing monitoring of inter-country adoption cases.

Institutional duty bearers must, in collaboration with the individual and their support network, develop a comprehensive care planning for all individuals in care. These care plans must be tailored to the individual's unique needs and circumstances, and must be regularly reviewed and updated to reflect changes in the individual's situation.

The Authority must establish mechanisms for periodic review of care plans to ensure that they remain relevant, effective, and aligned with the individual's evolving needs and circumstances. These reviews must involve the individual, their support network, and relevant professionals, and must result in adjustments to the care plan as needed.

The Authority must require relationship preservation in placement decisions, ensuring that important relationships are maintained and supported during care transitions. This involves assessing the individual's relationships, developing plans to preserve and strengthen these relationships, and providing support and resources to facilitate ongoing contact and connection.

The Authority must provide support for transitioning to independent living, ensuring that individuals have the skills, resources, and support necessary to live independently. This support must include education and training in independent living skills, assistance with securing housing and employment, and ongoing support to help individuals navigate the challenges of independent living.

The Authority must offer after-care services to provide ongoing support to individuals who have left care. These services must include counseling, mentorship, and assistance with housing, education, and employment, to help individuals successfully transition to independent living.

The Authority must provide educational support for care leavers to ensure that they have the opportunity to pursue education and achieve their academic goals. This support must include financial assistance, academic counseling, and tutoring services, as well as assistance with transitioning to post-secondary education or vocational training.

The Authority must offer employment support for care leavers to help them secure and maintain employment. This support must include job training, career counseling, and assistance with job searches and applications, as well as ongoing support to help individuals navigate the challenges of the workforce.

The Authority must provide housing assistance for care leavers to ensure that they have access to safe, stable, and affordable housing. This assistance must include support with securing housing, financial assistance with rent and utilities, and ongoing support to help individuals maintain their housing.

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<sup>48</sup> Define the appropriate type of regulation.

<sup>49</sup> Define the appropriate type of regulation.

<sup>50</sup> Define the appropriate type of regulation.

The Authority must provide financial support for care leavers to help them meet their basic needs and achieve financial stability. This support must include financial assistance with living expenses, education, and employment, as well as financial literacy education and budgeting support.

The Authority must ensure care leaver ongoing support entitlements, providing individuals who have left care with access to ongoing support services to help them transition to independent living and achieve long-term success. These entitlements must include counseling, mentorship, financial assistance, and support with housing, education, and employment.

The Authority must facilitate circular return capacity in care systems, ensuring that individuals who have left care have the option to return to care if necessary. This involves maintaining open lines of communication with care leavers, providing support and resources to facilitate returns when needed, and ensuring that return processes are streamlined and supportive.

The Authority must actively monitor the quality of care provided to individuals in care settings, ensuring that all care providers meet the necessary standards of quality and safety. This monitoring must include regular inspections, assessments of care practices, and evaluations of outcomes for individuals in care.

The Authority must establish mechanisms for inspecting care facilities to ensure that they meet the necessary standards of quality and safety. These mechanisms must include regular, unannounced inspections, as well as investigations of complaints and reports of substandard care.

The Government / Authority may/must, by virtue of ... <sup>51</sup>, develop and must enforce procedures for complaining about care, ensuring that individuals in care have a clear and accessible means of raising concerns and reporting issues related to their care. These procedures must include guidelines for submitting complaints, investigating complaints, and addressing and resolving complaints in a timely and effective manner.

The Authority must implement strategies for de-institutionalising care, ensuring that individuals are supported in transitioning from institutional care settings to community-based care whenever possible. These strategies must include support services, training, and resources to facilitate the transition and ensure the individual's well-being and success in the community.

The Authority must ensure care continuity guarantees during transitions, providing support and resources to ensure that individuals experience stability and continuity of care during transitions between care settings or from care to independent living. This support must include coordination of care services, assistance with securing housing and employment, and ongoing support to help individuals navigate the challenges of transition.

The Authority and institutional duty bearers must provide identity development support in care settings, fostering personal growth and self-awareness among individuals in care. This support must include counseling, mentorship, and opportunities for self-expression and exploration, helping individuals develop a strong sense of self and identity.

The Authority and institutional duty bearers must facilitate technology-mediated family contact to ensure that individuals in care have the opportunity to maintain connections with their families through digital communication. This involves providing access to technology, training on its use, and support for maintaining regular contact with family members.

The Authority must prioritise sibling placement with exceptions protocol, ensuring that siblings are placed together in care settings whenever possible, unless there are specific reasons why this would not be in their best interests. This protocol must include guidelines for assessing sibling relationships, evaluating the benefits and challenges of sibling placement, and developing plans to support and maintain sibling connections.

The Authority must require cultural care matching with capacity building, ensuring that individuals in care are placed with caregivers who share their cultural background and can provide culturally appropriate care and support. This involves assessing the individual's cultural needs, matching them with suitable caregivers, and providing training and resources to support culturally sensitive care practices.

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<sup>51</sup> Define the appropriate type of regulation.

The Government / Authority may/must, by virtue of ...<sup>52</sup>, establish minimum standards for therapeutic care environments, ensuring that care settings provide a supportive, healing, and nurturing environment for individuals in care. These standards must include guidelines for the physical environment, staff training, therapeutic activities, and support services that promote the individual's well-being and recovery.

The Authority must offer multi-generational placement options for extended family preservation, providing support and resources to facilitate the placement of children with extended family members when family-based care is not possible. This support must include assistance with securing housing, financial assistance, and training and resources to support the extended family in providing care.

## H. Family Support Provisions

The Authority must provide family counseling services to support families in addressing challenges, improving communication, and strengthening relationships. These services must be provided by trained professionals and must be accessible and confidential.

The Authority must implement parenting skills programs to teach parents effective strategies for raising children, managing behavior, and fostering positive development. These programs must include workshops, support groups, and one-on-one coaching sessions.

The Authority must offer respite care services to provide temporary relief for caregivers, helping to prevent burnout and ensuring the well-being of both caregivers and those they care for. These services must be flexible and tailored to the needs of the caregivers and their families.

The Authority must provide family therapy services to help families address and resolve interpersonal conflicts, improve communication, and build stronger relationships. These services must be provided by licensed<sup>53</sup> therapists and must be accessible to all families in need.

The Authority must offer financial support for families to help them meet their basic needs and achieve financial stability. This support must include assistance with housing, food, utilities, and other essential expenses, as well as financial literacy education and budgeting support.

The Government / Authority may/must, by virtue of ...<sup>54</sup>, provide tax benefits for caregivers to recognise and support the important role they play in caring for vulnerable individuals. These benefits may include tax credits, deductions, and other financial incentives.

The Authority may/must provide housing assistance for families to ensure that they have access to safe, stable, and affordable housing. This assistance must include support with securing housing, financial assistance with rent and utilities, and resources for maintaining housing stability.

The Authority must implement sibling support programs to provide support and resources to siblings of vulnerable individuals. These programs must include counseling, mentorship, and opportunities for siblings to connect with one another and share experiences.

The Authority must encourage extended family involvement in care and support, recognising the important role that extended family members can play in providing care and support to vulnerable individuals and their families. This involvement must be supported through training, resources, and opportunities for extended family members to participate in care and decision-making processes.

The Authority must establish parent-to-parent support networks to provide parents with a community of support and resources. These networks must facilitate connections between parents with similar experiences, offering opportunities for shared learning, mutual support, and the exchange of information and strategies.

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<sup>52</sup> Define the appropriate type of regulation.

<sup>53</sup> Regarding licensing, see Chapter D of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>54</sup> Define the appropriate type of regulation.

The Authority must establish family resource centers to provide families with access to information, support services, and resources. These centers must offer a range of services, including counseling, parenting education, financial assistance, and referrals to other community resources.

The Authority must provide information services for families to ensure that they have access to the information and resources they need to make informed decisions and navigate complex systems. These services must include guidance on available programs, eligibility requirements, and application processes, as well as referrals to appropriate services and supports.

The Authority must provide crisis intervention services for families to address urgent needs and crises, such as domestic violence, child abuse, or mental health emergencies. These services must include immediate support, temporary shelter, and access to essential resources.

The Authority must implement family preservation programs to provide support and resources to families at risk of separation or breakdown. These programs must include counseling, financial assistance, parenting education, and other support designed to help families stay together and thrive.

The Authority must provide family reunification services to help families that have been separated due to care interventions, conflicts, or other challenges to reunify and rebuild their relationships. These services must include counseling, mediation, and support services to facilitate the reunification process.

The Authority must offer multi-systemic therapy options for families to address complex and interconnected challenges that affect family functioning and well-being. This therapy must involve a team of professionals working together to provide coordinated and comprehensive care and support.

The Authority must provide family group conferencing services to facilitate collaborative decision-making and problem-solving within families. These conferences must involve family members, support professionals, and other relevant stakeholders in developing plans and strategies to address family challenges and promote well-being.

The Authority must provide positive behavioral support for families to help them develop and implement effective strategies for managing behavior, fostering positive interactions, and promoting healthy family dynamics. This support must include training, coaching, and resources tailored to the unique needs and circumstances of each family.

The Authority must implement family quality of life measures to assess and improve the overall well-being and satisfaction of families. These measures must include regular assessments of family functioning, satisfaction with support services, and progress toward achieving family goals.

The Government / Authority may/must, by virtue of ...<sup>55</sup>, adopt work-family balance provisions to help families manage the demands of work and family life. These provisions must include flexible working arrangements, parental leave policies, and support services designed to help families balance their work and caregiving responsibilities.

The Government / Authority may/must, by virtue of ...<sup>56</sup>, offer flexible working arrangements for families to help them manage their work and caregiving responsibilities effectively. These arrangements must include options for part-time work, flexible scheduling, telecommuting, and job sharing, as well as support services to help families navigate the challenges of balancing work and family life.

The Authority must provide childcare services for families to ensure that they have access to quality, affordable child care that meets the needs of their children and supports their development and well-being. These services must include options for center-based care, family childcare, and in-home care, as well as support for families with children with special needs.

The Authority must provide elder care services for families to help them care for elderly family members. These services must include in-home care, assisted living arrangements, and support services designed to meet the unique needs of elderly persons and their families.

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<sup>55</sup> Define the appropriate type of regulation.

<sup>56</sup> Define the appropriate type of regulation.

The Authority must offer bereavement support for families to help them cope with the loss of a loved one. This support must include counseling, grief support groups, and resources to help families navigate the grieving process and rebuild their lives.

The Authority must conduct whole family needs assessments to ensure that families receive comprehensive and coordinated support that addresses their unique needs and circumstances. These assessments must involve evaluating the needs of all family members, developing personalised support plans, and coordinating services to ensure that families receive the support they need to thrive.

The Authority must enforce family system therapy coverage mandates to ensure that families have access to the therapy services they need to address mental health challenges and improve family functioning. These mandates must include requirements for insurance coverage, provider reimbursement, and access to specialised therapy services.

The Authority must implement intergenerational trauma-informed family interventions to address the impacts of trauma across generations within families. These interventions must involve trauma-informed therapy, support services, and resources designed to help families heal from past traumas and build resilience for the future.

The Authority must enforce family digital literacy support requirements to ensure that families have the skills and knowledge necessary to navigate the digital world safely and effectively. This support must include training on digital literacy, online safety, and the responsible use of technology, as well as resources to help families stay connected and engaged in the digital age.

The Authority must support natural support network mapping and enhancement to help families identify and strengthen their natural support systems. This involves assessing existing support networks, facilitating connections with additional supports, and providing resources to enhance the effectiveness and sustainability of these networks.

The Authority must enforce family capacity building before support provision to ensure that families are equipped with the skills, knowledge, and resources necessary to provide effective care and support to vulnerable individuals. This capacity building must include training, education, and support services designed to empower families and enhance their ability to meet the needs of their loved ones.

The Authority must implement family peer advocate certification and deployment to ensure that families have access to peer support and advocacy. This involves training and certifying family peers to provide support, mentorship, and advocacy to other families, as well as deploying these peers to work with families in need.

The Authority must provide proactive family support during transitions to ensure that families receive the support they need during times of change and uncertainty. This support must include counseling, resource referrals, and assistance with navigating transitions, such as changes in care arrangements, moves, or other significant life events.

The Authority must conduct family resilience assessment and development to help families build the skills and capacities necessary to overcome challenges and thrive. This involves assessing family resilience, developing personalised plans to enhance resilience, and providing support and resources to help families implement these plans and achieve their goals.

The Authority must recognise cultural family definitions and ensure that family support services are respectful of and responsive to the diverse cultural backgrounds and values of families. This involves integrating cultural competency into service delivery, providing culturally appropriate support and resources, and training service providers on cultural sensitivity and awareness.

## **I. Healthcare Provisions**

The Authority must enforce equal access to healthcare services, ensuring that all [vulnerable] individuals, regardless of their background, disability, or socio-economic status, have access to the healthcare services they need. This includes removing barriers to healthcare access, such as financial obstacles, lack of transportation, or discriminatory practices.

The Authority and institutional duty bearers must actively work to prevent discrimination [of vulnerable persons] in healthcare settings. This involves implementing anti-discrimination policies, providing training to staff and external healthcare providers on recognising and addressing discrimination, and establishing mechanisms for reporting and addressing discriminatory practices.

The Authority and institutional duty bearers must ensure that informed consent is obtained for all healthcare decisions. This requires that healthcare providers explain treatment options, risks, and benefits in a manner that is understandable to the patient or their legal representative, and that consent is voluntarily given without coercion or manipulation.

The Authority and institutional duty bearers must support individuals in making healthcare decisions through supported decision-making frameworks. This involves providing individuals with the information, support, and resources they need to make informed decisions about their healthcare, including access to advocates, interpreters, and other support services.

The Authority and institutional duty bearers must ensure that healthcare facilities are accessible to all individuals, regardless of their mobility, sensory, or cognitive abilities. This includes enforcing accessibility standards for physical infrastructure, communication methods, and information provision.

The Authority<sup>57</sup> and institutional duty bearers must mandate training for healthcare [and other service] providers<sup>58</sup> to ensure they are equipped to work with vulnerable individuals. This training must cover topics such as communicating effectively with vulnerable individuals, providing culturally competent care, and understanding the unique healthcare needs of vulnerable populations.

The Authority and institutional duty bearers must provide or commission specialised healthcare services tailored to the unique needs of vulnerable individuals. This includes services for individuals with complex medical conditions, disabilities, mental health needs, and other specific healthcare requirements.

The Authority and institutional duty bearers must provide or commission preventive healthcare services to address health issues before they become more serious or chronic. This includes regular health screenings, immunizations, and education on healthy lifestyle choices.

The Authority must provide or commission early intervention programs to identify and address health issues as early as possible. These programs must include regular check-ups, screenings, and support services for individuals at risk of developing health conditions.

The Authority must provide or commission community-based rehabilitation services to help individuals recover from illnesses, injuries, or disabilities in their own communities. These services must include physical therapy, occupational therapy, counseling, and other support services designed to help individuals regain functionality and independence.

The Authority must provide or commission mental health services to address the psychological and emotional well-being of vulnerable individuals and individuals with special needs. These services must include counseling, therapy, support groups, and access to psychiatric care.

The Authority must provide or commission sexual and reproductive health services to ensure that vulnerable individuals and individuals with special needs have access to the care and support they need to maintain their sexual and reproductive health. This includes access to contraception, family planning services, prenatal care, and support for individuals experiencing fertility challenges or sexual health issues.

The Authority must provide or commission geriatric care services to meet the unique healthcare needs of the elderly population. This includes access to specialised medical care, support services for activities of daily living, and programs designed to promote healthy aging.

The Authority must provide or commission palliative care services to provide comfort and support to individuals with serious illnesses or at the end of life. These services must include pain management, emotional support, and assistance with end-of-life decision-making.

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<sup>57</sup> Check whether reference to the adoption of regulation is needed. Maybe it suffices to set up conditions in the respective public tender.

<sup>58</sup> Institutional duty bearers sometimes use the services of external service providers. Hence it makes sense to establish this obligation for them as well.

The Authority must provide or commission long-term care services to ensure continuity of care for individuals with chronic illnesses or disabilities. This involves coordinating care across different healthcare settings and providers, and ensuring that individuals receive the support they need to manage their conditions over the long term.

The Government / Authority must, by virtue of ...<sup>59</sup>, ensure access to health insurance coverage for all individuals, regardless of their employment status, income, or pre-existing conditions. This includes mandating insurance coverage for essential healthcare services, preventing discriminatory practices by insurance providers, and providing subsidies to make insurance affordable.

The Government / Authority may/must, by virtue of ...<sup>60</sup>, provide healthcare subsidies to ensure that vulnerable individuals can afford the healthcare services they need. These subsidies must cover a range of services, including medical care, prescription medications, rehabilitative services, and preventive care.

The Authority must provide or commission home healthcare services to enable vulnerable individuals and individuals with special needs to receive healthcare in their own homes. This includes services such as nursing care, physical therapy, and medical treatments provided by trained healthcare professionals in the home setting.

The Government / Authority may/must, by virtue of ...<sup>61</sup>, adopt telehealth provisions to enable vulnerable individuals and individuals with special needs to access healthcare services remotely. This includes establishing guidelines for the use of telehealth technologies, ensuring that healthcare providers are trained in telehealth service delivery, and providing individuals with access to the necessary technology and support to use telehealth services effectively.

The Government / Authority may/must, by virtue of ...<sup>62</sup>, establish healthcare coordination requirements to ensure that vulnerable individuals and individuals with special needs receive coordinated and comprehensive care. This involves establishing protocols for communication and collaboration between healthcare providers, sharing of medical records, and coordination of care plans.

The Government / Authority may/must, by virtue of ...<sup>63</sup>, establish healthcare quality standards to ensure that all healthcare services meet the highest standards of quality and safety. These standards must be based on evidence and best practices, and must be regularly reviewed and updated to ensure their effectiveness.

The Authority and institutional duty bearers must implement complaint mechanisms in healthcare to ensure that vulnerable individuals and individuals with special needs have a means of raising concerns or reporting issues related to their healthcare. These mechanisms must be accessible, confidential, and effective in addressing and resolving complaints.

The Authority must provide patient advocacy services to support individuals in navigating the healthcare system and advocating for their healthcare needs. These services must include assistance with understanding medical information, communicating with healthcare providers, and navigating complex healthcare systems.

The Government / Authority may/must, by virtue of ...<sup>64</sup>, establish trauma-informed care requirements for all healthcare settings to ensure that healthcare services are provided in a manner that is sensitive to the past traumas and emotional needs of individuals. This includes training for healthcare providers on trauma-informed care principles and practices.

The Government / Authority may/must, by virtue of ...<sup>65</sup>, require multisensory communication in healthcare settings to ensure that individuals with sensory impairments or communication difficulties can effectively communicate with healthcare providers. This includes providing communication aids, training healthcare providers in alternative communication methods, and ensuring that healthcare environments are conducive to effective communication.

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<sup>59</sup> Define the appropriate type of regulation.

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<sup>61</sup> Define the appropriate type of regulation.

<sup>62</sup> Define the appropriate type of regulation.

<sup>63</sup> Define the appropriate type of regulation.

<sup>64</sup> Define the appropriate type of regulation.

<sup>65</sup> Define the appropriate type of regulation.

The Authority must provide healthcare navigation assistance to ensure that vulnerable individuals and individuals with special needs have the support they need to navigate the healthcare system effectively. This includes providing individuals with access to healthcare navigators, who can assist with understanding medical information, coordinating care, and accessing healthcare services.

The Government / Authority may/must, by virtue of ...<sup>66</sup>, establish accelerated medical innovation pathways for vulnerability-specific needs to ensure that new medical technologies and treatments are developed and made available to address the unique healthcare needs of vulnerable individuals. This includes exemptions from regulatory requirements and providing funding, support, and incentives for research and development in areas of unmet medical need.

The Government / Authority may/must, by virtue of ...<sup>67</sup>, implement preemptive healthcare authorisation frameworks to expedite necessary care by establishing protocols for pre-authorising certain medical treatments or procedures based on medical necessity and urgency.

The Authority must enforce bias auditing in healthcare algorithms used for vulnerable populations to ensure that algorithms used in healthcare decision-making are fair, unbiased, and do not perpetuate existing health disparities. This includes regularly auditing algorithms for bias, training healthcare providers on the ethical use of algorithms, and establishing guidelines for the development and implementation of healthcare algorithms.

The Government / Authority may/must, by virtue of ...<sup>68</sup>, require integrated somatic-mental healthcare to ensure that healthcare services address both the physical and mental health needs of individuals. This includes establishing protocols for coordinating physical and mental healthcare services, training healthcare providers in integrated care approaches, and ensuring that vulnerable individuals have access to comprehensive healthcare services that address their holistic health needs.

The Government / Authority may/must, by virtue of ...<sup>69</sup>, establish and enforce vulnerability-adjusted quality metrics for healthcare providers to ensure that healthcare services are tailored to the unique needs of vulnerable individuals. This includes establishing quality metrics that take into account the specific challenges and needs of vulnerable populations, and regularly evaluating healthcare providers on their performance in meeting these metrics.

The Authority must conduct medical technology assessment with vulnerability impact analysis to ensure that new medical technologies are evaluated for their potential impact on vulnerable persons and individuals with special needs. This includes assessing the accessibility, usability, and effectiveness of medical technologies for vulnerable individuals, and ensuring that medical technologies are developed and implemented in a manner that addresses the unique needs of vulnerable populations.

The Authority must enforce the portability of healthcare records<sup>70</sup> with vulnerability-specific protections to ensure that individuals' healthcare records are easily transferable between healthcare providers and settings, while maintaining the privacy and security of individuals' personal health information. This includes establishing guidelines for the secure transfer of healthcare records, training healthcare providers on the importance of portability, and implementing technologies that facilitate the secure exchange of healthcare records.

## J. Educational Framework

Every individual has the right to education, regardless of their age, disability, or socio-economic status. The Government and the Authority must, also by virtue of ...<sup>71</sup>, remove barriers to education, such as financial

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<sup>66</sup> Define the appropriate type of regulation. However, please check the need for the regulatory power in the first place. In some jurisdictions, it might be possible to open accelerated medical innovation pathways without any regulation.

<sup>67</sup> Define the appropriate type of regulation.

<sup>68</sup> Define the appropriate type of regulation.

<sup>69</sup> Define the appropriate type of regulation.

<sup>70</sup> This presumes that the portability is already set out in regulation.

<sup>71</sup> Define the appropriate type of regulation.

obstacles, lack of accessibility, or discriminatory practices, and provide the necessary support and resources to ensure that all vulnerable persons can access and participate in education.

The Authority must actively work to prevent discrimination in educational settings. This includes implementing anti-discrimination policies, providing training to educators on recognising and addressing discrimination, and establishing mechanisms for reporting and addressing discriminatory practices.

The Authority must enforce the principle of inclusive education, ensuring that all educational programs and activities are designed to be accessible and inclusive for all vulnerable students, regardless of their abilities, backgrounds, or needs. This includes providing reasonable accommodations, adapting teaching methods, and creating inclusive learning environments.

The Authority must ensure that reasonable accommodations are provided to vulnerable students and students with special needs<sup>72</sup>. These accommodations must be tailored to the individual needs of each student and may include modifications to curriculum, teaching methods, assessment procedures, and the physical learning environment.

The Authority must develop individualised education plans for vulnerable students and students with special needs. These plans must be created in collaboration with the student, their family, and educators, and must be tailored to the student's specific strengths, challenges, and learning styles.

The Authority must provide special education options for vulnerable students and students with special needs. This includes establishing special education programs, resource classrooms, and specialised schools designed to meet the unique needs of students with disabilities or other special needs.

The Government / the Authority must, also by virtue of ...<sup>73</sup>, regulate resource classrooms to ensure that they provide a supportive and inclusive learning environment for vulnerable students and students with special needs. This includes establishing standards for classroom size, student-teacher ratios, and the qualifications of resource classroom teachers.

The Government / the Authority must, also by virtue of ...<sup>74</sup>, regulate special needs schools to ensure that they meet the highest standards of quality and effectiveness in educating students with disabilities or other special needs. This includes establishing guidelines for curriculum, teaching methods, assessment procedures, and the qualifications of special education teachers.

The Authority must enforce teacher qualification requirements to ensure that all educators are equipped with the knowledge, skills, and training necessary to effectively teach and support vulnerable students and students with special needs. This includes requiring teachers to complete specialised training programs, obtain certifications, and participate in ongoing professional development activities.

The Authority must implement teacher training programs to ensure that educators are prepared to work with vulnerable students and students with special needs. These programs must cover topics such as inclusive teaching strategies, behavior management techniques, and strategies for supporting students with diverse learning needs.

The Authority must ensure that learning materials are adapted to meet the needs of vulnerable students and students with special needs. This includes providing materials in accessible formats, such as braille, large print, or digital formats, and adapting content to be culturally relevant and appropriate for students with diverse backgrounds and experiences.

The Authority must ensure that all educational materials are accessible to vulnerable students and students with special needs. This includes providing materials in alternative formats, such as audio or digital formats, and ensuring that materials are designed to be easily understood and used by vulnerable students and students with special needs.

The Authority must enforce assessment modification provisions to ensure that assessments are fair and accurate for students with disabilities or special needs. This includes providing alternative assessment

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<sup>72</sup> Subject to the definition of "vulnerable students", this term might include "students with special needs". If so "students with special needs" should be deleted. This applies also to the following.

<sup>73</sup> Define the appropriate type of regulation.

<sup>74</sup> Define the appropriate type of regulation.

formats, such as oral exams or portfolio assessments, and adapting assessment procedures to accommodate the unique needs and abilities of each student.

The Authority must provide educational assistants to support vulnerable students and students with special needs in the classroom. These assistants must be trained to work with those students and must be available to provide one-on-one support, small group instruction, and other forms of educational assistance as needed.

The Authority must ensure that transportation to school is provided for vulnerable students and students with special needs who require it. This includes establishing transportation services for students with disabilities, students living in remote or rural areas, and students from low-income families who may not have access to reliable transportation.

The Authority must enforce accessibility standards for school facilities to ensure that all students, regardless of their mobility, sensory, or cognitive abilities, can access and navigate the school environment safely and independently. This includes ensuring that school buildings, classrooms, and outdoor spaces are designed to be accessible and usable for all students.

The Authority must develop transition planning requirements to ensure that students with disabilities or special needs are supported during transitions between educational settings or levels. This includes establishing transition plans, coordinating services between schools, and providing support and resources to help students navigate transitions successfully.

The Authority must provide vocational education provisions to ensure that vulnerable students and students with special needs. This includes establishing vocational education programs, providing career counseling and guidance, and offering work-based learning opportunities tailored to the unique needs and interests of each student.

The Authority must ensure access to higher education for all individuals, regardless of their disability, background, or socio-economic status. This includes providing financial assistance, academic support services, and accommodations to ensure that all students have the opportunity to pursue higher education.

The Authority must provide opportunities for lifelong learning to ensure that individuals have access to education and training throughout their lives. This includes establishing adult education programs, providing career development resources, and offering opportunities for ongoing learning and skill development.

The Authority must provide early childhood development services to ensure that young children have access to the support and resources they need to develop and thrive. This includes establishing early intervention programs, providing developmental screenings, and offering support services for families with young children.

The Authority must offer adult education programs to provide vulnerable adults [and adults with special needs] with the opportunity to continue their education, develop new skills, and pursue personal and professional goals. These programs must be tailored to the unique needs and circumstances of each student, and must include options for part-time study, online learning, and flexible scheduling.

The Authority must implement education quality monitoring to ensure that all educational programs and institutions meet the highest standards of quality and effectiveness in particular with regard to vulnerable students and students with special needs. This includes establishing quality standards, conducting regular assessments of educational programs, and providing support and resources to help educators improve their teaching practices and outcomes.

The Authority must enforce anti-bullying provisions to prevent and address bullying in educational settings, with particular focus on vulnerable students and students with special needs. This includes establishing anti-bullying policies, providing training to educators and students on recognizing and addressing bullying, and implementing programs to promote a positive and inclusive school culture.

The Authority must establish complaint procedures in education to ensure that students, parents, and educators have a clear and accessible means of raising concerns or reporting issues related to [education and] the situation of vulnerable students and students with special needs. These procedures must include guidelines for submitting complaints, investigating complaints, and addressing and resolving complaints in a timely and effective manner.

The Authority must provide mediation services in education to help resolve disputes and conflicts between students, parents, and educators.<sup>75</sup> These services must be provided by trained mediators and must be designed to facilitate communication, negotiation, and mutual agreement between parties.

The Authority must mandate the implementation of universal design for learning in all educational settings. This involves designing educational programs, materials, and environments to be accessible and usable by all students, regardless of their abilities, special needs or backgrounds.

The Authority must enforce cultural identity preservation in special education to ensure that students' cultural backgrounds and values are respected and integrated into their educational experience. This includes providing culturally relevant curriculum, supporting cultural expression and practices, and training educators on cultural competency.

The Authority must enforce disability-confident educational institution certification to ensure that educational institutions are equipped to support vulnerable students and students with special needs. This includes establishing certification standards, providing training and resources to educators, and conducting regular assessments of institutions' compliance with disability-confident education practices.

The Authority must implement reverse inclusion programming requirements to promote inclusive education by integrating vulnerable students and students with special needs into mainstream classrooms and activities. This involves providing support and resources to mainstream educators and students, fostering a culture of inclusion, and encouraging the participation of students with special needs in all aspects of school life.

The Authority must provide educational re-engagement pathways after disruption to support students who have experienced interruptions in their education due to illness, injury, or other factors. These pathways must include academic support, counseling services, and flexible scheduling options to help students re-engage with their education and achieve their academic goals.

The Government / Authority may/must, by virtue of ...<sup>76</sup>, adopt sensory environment regulations for educational settings to ensure that the learning environment is conducive to the needs of students with sensory impairments or sensitivities. This includes establishing guidelines for classroom design, lighting, acoustics, and other environmental factors that can impact students' ability to learn and participate in educational activities.

The Authority must develop specialised curriculum for unique vulnerability profiles<sup>77</sup> to ensure that students with specific learning needs or challenges have access to educational content and instruction tailored to their individual strengths and abilities. This includes creating customised learning materials, adapting teaching methods, and providing specialised instruction and support services.

The Authority must establish technology competency requirements with vulnerability adaptations<sup>78</sup> to ensure that students with special needs have access to the technology and support they need to participate fully in education. This includes providing assistive technology, training on the use of technology, and support services to help students develop the skills necessary to use technology effectively in their education.

The Government / Authority may/must, by virtue of ...<sup>79</sup>, establish inter-disability peer support programming requirements to foster mutual support and learning among students with special needs. This includes establishing peer support networks, facilitating peer mentorship and collaboration, and providing resources and training to help students develop supportive and inclusive relationships with their peers.

The Authority must establish accelerated skill recognition for alternative demonstration methods to ensure that students with special needs have the opportunity to demonstrate their knowledge and skills in ways that are adapted to their unique abilities and learning styles. This includes providing alternative assessment methods, such as portfolios, presentations, or practical demonstrations, and ensuring that educators are trained to evaluate and recognise the value of alternative demonstration methods.

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<sup>75</sup> See Chapter M. of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>76</sup> Define the appropriate type of regulation.

<sup>77</sup> In some jurisdictions, this must be done by regulation. If so, use "The Government / Authority may/must, by virtue of ... ,".

<sup>78</sup> Idem.

<sup>79</sup> Define the appropriate type of regulation.

## K. Employment Provisions

The Authority must actively prevent discrimination in employment, ensuring that all individuals have equal opportunities to secure and maintain employment, regardless of their background, disability, or other personal characteristics. This involves enforcing anti-discrimination laws, promoting inclusive hiring practices, and providing training to employers on recognizing and addressing discrimination.

The Authority must ensure that employers provide reasonable accommodations in the workplace to enable vulnerable individuals and individuals with special needs to perform their jobs effectively. These accommodations must be tailored to the individual's needs and may include modifications to the work environment, flexible work schedules, or assistive technologies.

The Government / Authority may/must, by virtue of ...<sup>80</sup>, establish employment quota systems to ensure that a certain percentage of job positions are reserved for vulnerable individuals and individuals with special needs. These quotas must be enforced across various sectors and industries, with penalties for non-compliance.

The Government / Authority may/must, by virtue of ...<sup>81</sup>, provide tax incentives for employers who hire vulnerable individuals and individuals with special needs, encouraging inclusive hiring practices. These incentives must include tax credits, deductions, and other financial benefits designed to offset the costs associated with providing reasonable accommodations.

The Government / Authority may/must, by virtue of ...<sup>82</sup>, establish wage subsidy programs to support employers who hire vulnerable individuals and individuals with special needs. These programs must provide financial assistance to cover a portion of the wages for vulnerable individuals and individuals with special needs, helping to make employment more accessible and sustainable.

The Authority must offer job coaching services to assist vulnerable individuals and individuals with special needs in finding and maintaining employment. These services must include career counseling, job search assistance, interview preparation, and ongoing support to help individuals navigate the employment process successfully.

The Authority must conduct vocational assessments to evaluate the skills, interests, and abilities of vulnerable individuals and individuals with special needs, helping to match them with suitable employment opportunities. These assessments must be comprehensive and tailored to the individual's unique needs and circumstances.

The Authority must provide vocational training programs to equip vulnerable individuals and individuals with special needs with the skills and knowledge necessary to enter the workforce. These programs must be tailored to the individual's vocational goals and must include hands-on training, classroom instruction, and opportunities for real-world experience.

The Authority must offer vocational rehabilitation services to help vulnerable individuals and individuals with special needs who have experienced injuries, illnesses, or other setbacks to re-enter the workforce. These services must include medical and therapeutic interventions, job training, and support services designed to facilitate a successful return to work.

The Authority must provide job placement services to assist vulnerable individuals and individuals with special needs in finding and securing employment. These services must include job matching, resume assistance, interview preparation, and follow-up support to ensure that individuals are successfully placed in suitable positions.

The Authority must support employment models that provide additional support and resources to vulnerable individuals and individuals with special needs in the workplace. These models must include on-the-job training, mentorship programs, and ongoing support services designed to help individuals succeed in their roles.

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<sup>80</sup> Define the appropriate type of regulation.

<sup>81</sup> Define the appropriate type of regulation.

<sup>82</sup> Define the appropriate type of regulation.

The Authority must regulate sheltered employment to ensure that it provides a supportive and protective environment for vulnerable individuals and individuals with special needs who may not be able to compete in the open labor market. These regulations must include standards for workplace safety, fair compensation, and opportunities for skill development and advancement.

The Authority must provide support for self-employment to help vulnerable individuals and individuals with special needs start and manage their own businesses. This support must include business planning assistance, access to financing, training in entrepreneurial skills, and mentorship programs.

The Authority must support the development of microenterprises for vulnerable individuals and individuals with special needs, providing them with the opportunity to create small-scale businesses that align with their skills and interests. This support must include access to microfinancing, business training, and resources for marketing and growth.

The Authority must provide employment opportunities in the public sector for vulnerable individuals and individuals with special needs, ensuring that government agencies and departments actively recruit and hire from this population. These opportunities must be supported by inclusive hiring practices, reasonable accommodations, and ongoing support services.

The Authority must enforce protection from exploitation in employment, ensuring that vulnerable individuals and individuals with special needs are not subjected to unfair labor practices, unsafe working conditions, or other forms of exploitation. This involves establishing and enforcing labor standards, conducting regular inspections, and providing mechanisms for reporting and addressing exploitative practices.

The Government / Authority may/must, by virtue of ...<sup>83</sup>, ensure equal remuneration for vulnerable individuals and individuals with special needs, mandating that employers pay all employees fairly and equitably, regardless of their vulnerabilities. This includes enforcing equal pay laws, promoting pay transparency, and providing mechanisms for addressing pay disparities.

The Authority must provide opportunities for career advancement for vulnerable individuals and individuals with special needs, ensuring that they have access to training, mentorship, and promotional opportunities that enable them to progress in their careers. This includes supporting professional development initiatives, providing access to leadership training, and promoting inclusive advancement policies.

The Government / Authority may/must, by virtue of ...<sup>84</sup>, establish workplace accessibility requirements to ensure that workplaces are physically and technologically accessible to vulnerable individuals and individuals with special needs. This includes mandating accessibility standards for buildings, equipment, and digital platforms, and providing resources for employers to implement these standards.

The Authority must promote work schedule flexibility to accommodate the needs of vulnerable individuals and individuals with special needs who may require non-traditional work hours or arrangements. This includes encouraging flexible scheduling practices, job sharing, and other arrangements that enable individuals to balance their work and personal responsibilities.

The Authority must provide adaptive equipment for vulnerable individuals and individuals with special needs in the workplace, ensuring that they have the tools and technologies necessary to perform their jobs effectively. This includes providing assistive devices, ergonomic equipment, and other adaptive technologies tailored to the individual's needs.

The Authority must ensure that transportation to work is provided for vulnerable individuals and individuals with special needs who may face barriers to accessing employment due to mobility challenges or lack of transportation options. This includes establishing transportation services, providing subsidies for transportation costs, and promoting flexible work arrangements that reduce the need for daily commuting.

The Authority must implement employment dispute resolution mechanisms to address and resolve disputes between vulnerable individuals or individuals with special needs and their employers.<sup>85</sup> These mechanisms must include mediation services, arbitration processes, and legal support to ensure that disputes are resolved fairly and efficiently.

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<sup>83</sup> Define the appropriate type of regulation.

<sup>84</sup> Define the appropriate type of regulation.

<sup>85</sup> See Chapter M. of these [Cross-sectoral Standard Provisions for Regulation](#).

The Authority must provide return to work programs to support vulnerable individuals and individuals with special needs in returning to employment after absences due to illness, injury, or other factors. These programs must include rehabilitation services, job retraining, and support services designed to facilitate a successful return to work.

The Government / Authority may/must, by virtue of ...<sup>86</sup>, establish occupational health and safety standards to ensure the well-being of vulnerable individuals and individuals with special needs in the workplace. This includes mandating safety protocols, conducting regular inspections, and providing training and resources to promote a safe and healthy work environment.

The Authority must incentivise inclusive employment practices by providing disability confidence certification with tax benefits. This involves recognising and rewarding employers who demonstrate a commitment to hiring and supporting individuals with disabilities, and providing tax incentives to encourage further inclusive hiring.

The Government / Authority may/must, by virtue of ...<sup>87</sup>, inclusive procurement requirements for government contracts, ensuring that public procurement processes are accessible and inclusive for vulnerable individuals and individuals with special needs. This includes mandating accessibility standards for contract bidding, execution, and monitoring, and providing support services to help vulnerable individuals participate in public procurement opportunities.

The Authority must promote customised employment conditions beyond reasonable accommodation, ensuring that employers are encouraged to create job opportunities that are tailored to the unique needs and abilities of vulnerable individuals and individuals with special needs. This includes providing resources, training, and support services to help employers implement customised employment practices.

The Authority must establish a virtual work accommodation regulatory framework to support remote work arrangements for vulnerable individuals and individuals with special needs. This includes developing guidelines for remote work policies, providing resources for setting up remote work environments, and promoting flexible work arrangements that enable individuals to work from home or other remote locations.

The Authority must provide technology-mediated workplace support funding to enable digital support in the workplace for vulnerable individuals. This includes providing financial assistance for purchasing and maintaining assistive technologies, training on the use of digital tools, and support services to help individuals integrate technology into their work routines.

The Authority must implement phased return provisions for episodic conditions to support employees with fluctuating needs, such as those with chronic illnesses or mental health conditions. This includes developing policies for gradual returns to work, providing flexible scheduling options, and offering support services to help individuals manage their conditions while returning to work.

The Authority must enforce employment pathway guarantees after training completion, ensuring that individuals who complete vocational training programs have access to job opportunities. This includes establishing partnerships with employers, providing job placement assistance, and offering ongoing support services to help individuals transition successfully into the workforce.

The Authority must implement inclusive entrepreneurship support programs to promote entrepreneurship among vulnerable groups. These programs must provide training, mentorship, access to financing, and other resources designed to help vulnerable individuals start and grow their own businesses.

The Authority must support cooperative and social enterprise frameworks for vulnerable groups, providing opportunities for collective ownership and management of businesses. This includes offering resources for starting and managing cooperatives, providing training in cooperative principles, and promoting policies that support the development of social enterprises.

The Government / Authority may/must, by virtue of ...<sup>88</sup>, establish vulnerability-responsive performance assessment methods to ensure that employment practices are fair and inclusive for vulnerable individuals and individuals with special needs. This includes developing assessment tools that take into account the

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<sup>86</sup> Define the appropriate type of regulation.

<sup>87</sup> Define the appropriate type of regulation.

<sup>88</sup> Define the appropriate type of regulation.

unique needs and challenges of these employees, and providing training and resources to help employers implement these assessment methods effectively.

## L. Generic Accessibility Requirements

The Government / Authority may/must, by virtue of ...<sup>89</sup>, require that emergency notifications use multiple channels to ensure that emergency communications are accessible to individuals with disabilities. This includes providing alerts in multiple formats, such as visual, auditory, and tactile, to accommodate different sensory needs. Emergency notification systems must be tested regularly to ensure their effectiveness and reliability.

The Government / Authority may/must, by virtue of ...<sup>90</sup>, establish neurodiversity design requirements for public spaces to accommodate diverse neurological needs. This includes designing spaces with considerations for lighting, noise levels, and spatial layouts that minimize sensory overload and support individuals with neurodiversity.

The Government / Authority may/must, by virtue of ...<sup>91</sup>, mandate digital accessibility training and certification requirements to ensure that digital platforms and services are accessible to individuals with disabilities. This includes providing training to developers and content creators on accessible design principles, and certifying digital products that meet accessibility standards.

The Government / Authority may/must, by virtue of ...<sup>92</sup>, require accessibility simulation before the approval of designs to ensure that new constructions and renovations are accessible to individuals with disabilities. This involves conducting simulations to test the accessibility of designs and making necessary adjustments before final approval.

The Authority and other authorities must implement inclusive meeting protocols for public participation to ensure that all individuals can engage in public forums and decision-making processes. This includes providing accommodations such as sign language interpreters, assistive listening devices, and accessible meeting spaces.

The Government / Authority may/must, by virtue of ...<sup>93</sup>, establish readability requirements for all public information to ensure that written materials are clear and understandable for individuals with cognitive impairments or learning disabilities. This includes using plain language, large font sizes, and visual aids to enhance readability.

The Authority and other authorities must conduct periodic accessibility audits with vulnerability-specific metrics to assess and improve the accessibility of public spaces, services, and information. These audits must be comprehensive and involve input from individuals with disabilities to identify and address accessibility barriers.

## M. Cultural Adaptation Framework

The Government / Authority may/must, by virtue of ...<sup>94</sup>, establish cultural safety certification requirements to ensure that all services and care provided are culturally appropriate and respectful of the diverse backgrounds and traditions of individuals. This certification must include training for service providers on cultural competency, the integration of cultural practices into service delivery, and regular assessments to ensure ongoing cultural safety.

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<sup>89</sup> Define the appropriate type of regulation.

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<sup>91</sup> Define the appropriate type of regulation.

<sup>92</sup> Define the appropriate type of regulation.

<sup>93</sup> Define the appropriate type of regulation.

<sup>94</sup> Define the appropriate type of regulation.

The Government / Authority may/must, by virtue of ...<sup>95</sup>, establish traditional healing integration provisions to respect and incorporate cultural healing practices into healthcare and social services. This involves recognising the value of traditional healing methods, providing access to traditional healers, and ensuring that these practices are integrated into mainstream service delivery models.

The Authority, other authorities and institutional duty bearers must ensure cultural identity preservation in service provision by respecting and supporting the cultural identities of individuals receiving services. This includes providing culturally relevant care, supporting cultural expression and practices, and training service providers on the importance of cultural identity in service delivery.

The Government / Authority may/must, by virtue of ...<sup>96</sup>, mandate the use of culturally adapted assessment tools to ensure that assessments of individuals' needs and circumstances are conducted in a manner that is sensitive to their cultural background and values. This includes mandating the use of assessment tools that are tailored to different cultural contexts and providing training to assessors on cultural competency.

The Authority, other authorities and institutional duty bearers must establish cultural liaison roles in service systems to facilitate cultural mediation and support. These liaisons must be trained in cultural competency and must act as intermediaries between service providers and individuals from diverse cultural backgrounds, ensuring that cultural needs and preferences are understood and respected.

The Authority, other authorities and institutional duty bearers must mandate cultural competency training for all service providers to ensure that they are equipped to provide culturally appropriate care and support. This training must cover topics such as cultural awareness, sensitivity, and humility, as well as strategies for providing culturally responsive services.

The Government / Authority may/must, by virtue of ...<sup>97</sup>, establish cultural diversity in staffing requirements to ensure that service providers reflect the diversity of the communities they serve. This includes mandatory recruiting and retaining staff from diverse cultural backgrounds, providing training on cultural competency, and fostering an inclusive work environment that values and respects cultural diversity.

The Government / Authority may/must, by virtue of ...<sup>98</sup>, establish culturally responsive communication requirements to ensure that communication between service providers and individuals is effective and respectful of cultural differences. This includes mandating training on culturally sensitive communication practices, using interpreters and translation services when necessary, and ensuring that communication materials are culturally appropriate.

The Authority and other authorities must promote heritage language preservation in service contexts to ensure that individuals can communicate and express themselves in their native languages. This includes providing access to interpreters and translation services, supporting bilingual or multilingual service delivery, and encouraging the use of heritage languages in service settings.

The Authority, other authorities and institutional duty bearers must provide faith-consistent service options to respect the religious beliefs and practices of individuals. This includes accommodating religious dietary restrictions, providing access to religious services and support, and ensuring that religious practices are integrated into care plans and service delivery.

## **N. Transition Management**

The Authority and institutional duty bearers must ensure life transition prediction and support to provide vulnerable persons and individuals with special needs with the necessary assistance during significant life changes. This includes offering counseling, financial planning, and emotional support to help individuals navigate transitions such as moving to a new home, starting a new job, or adjusting to a new family dynamic.

The Authority must provide transition coordinator entitlements to ensure that vulnerable persons and individuals with special needs have access to a dedicated professional who can help coordinate the various

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aspects of their transition. This coordinator must assist with planning, managing logistics, and providing emotional support throughout the transition process.

The Government / Authority may/must, by virtue of ...<sup>99</sup>, establish transition planning timelines to ensure that planning for transitions begins well in advance of the actual transition date. This includes setting deadlines for completing necessary paperwork, securing housing, and arranging for any required services or support.

The Government / Authority may/must, by virtue of ...<sup>100</sup>, establish skills passport systems across service boundaries to ensure that an individual's skills and qualifications are recognised and transferable across different sectors and regions. This system must include a standardized format for documenting skills, a process for verification, and mechanisms for updating and sharing this information with relevant stakeholders.

The Authority must develop transition readiness assessment protocols to evaluate an individual's preparedness for a transition. These protocols must include assessments of emotional readiness, practical skills, and support needs, along with plans to address any identified gaps or challenges.

The Government / Authority may/must, by virtue of ...<sup>101</sup>, establish post-transition monitoring requirements to ensure that vulnerable persons and individuals with special needs receive ongoing support after a transition. This includes regular check-ins, assessments of progress, and adjustments to support plans as needed to address any emerging issues or challenges.

The Authority must establish multi-agency transition protocols to ensure coordination among various service providers involved in an individual's transition. These protocols must outline roles and responsibilities, communication strategies, and procedures for resolving any conflicts or issues that may arise during the transition process.

The Authority must require information portability across systems to ensure that an individual's records and data follow them seamlessly across different service providers and agencies. This includes establishing standards for data sharing, ensuring the privacy and security of information, and providing individuals with access to their records.

The Authority must facilitate transition support circles to provide individuals with a network of community support during transitions. These circles must include family members, friends, community leaders, and service providers who can offer emotional support, practical assistance, and advocacy.

The Authority and institutional duty bearers must implement graduated autonomy frameworks during transitions to provide vulnerable persons and individuals with special needs with appropriate levels of support as they progress toward greater independence. This framework must include gradual steps for increasing autonomy, regular assessments of progress, and adjustments to support plans based on the individual's evolving needs and capabilities.

## **O: Quality of Life Enhancement**

The Authority and institutional duty bearers must regularly evaluate the well-being of individuals under its care or support. This involves conducting comprehensive assessments that consider physical health, mental well-being, social connections, and overall life satisfaction. These assessments must be used to inform service plans and interventions aimed at improving quality of life.

The Authority and institutional duty bearers must implement subjective well-being measurement in program evaluation to ensure a holistic understanding of the quality of life of vulnerable persons and individuals with special needs. This involves using self-reported measures of happiness, life satisfaction, and emotional well-being to evaluate the effectiveness of programs and services, and making adjustments based on this feedback to better support individuals' overall well-being.

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The Authority and institutional duty bearers must ensure that vulnerable persons and individuals with special needs have opportunities to engage in activities that bring purpose and fulfillment to their lives. This includes offering a range of activities tailored to individual interests and abilities, such as arts, sports, volunteering, and educational pursuits.

The Authority and institutional duty bearers must provide relationship development support to foster and maintain social connections for vulnerable persons and individuals with special needs. This includes facilitating social interactions, providing opportunities for community engagement, and offering support services to help individuals build and sustain meaningful relationships.

The Authority and institutional duty bearers must ensure that vulnerable persons and individuals with special needs have access to experiences and resources that promote their development and self-improvement. This includes providing educational opportunities, skill-building workshops, and personal development programs tailored to individual needs and aspirations.

The Authority and institutional duty bearers must guarantee access to nature for vulnerable persons and individuals with special needs in institutional settings to promote environmental well-being and mental health. This includes designing institutional environments with green spaces, providing opportunities for outdoor activities, and incorporating nature-based therapies into care plans.

The Authority and institutional duty bearers must ensure that vulnerable persons and individuals with special needs have the chance to explore and develop their creative abilities. This includes providing access to art supplies, musical instruments, writing materials, and other tools for creative expression, as well as offering workshops and classes led by professional artists or educators.

The Authority and institutional duty bearers must ensure that vulnerable persons and individuals with special needs have access to spirituality and religion. This includes providing access to spiritual or religious services or places, creating spaces for meditation or prayer, and accommodating dietary restrictions or other practices related to an individual's spiritual beliefs.

The Authority and institutional duty bearers must facilitate community connection duties to ensure that individuals are integrated into their communities and have the support networks necessary for social well-being. This includes organising community events, facilitating introductions to local groups or clubs, and providing transportation to community activities.

## **P. Social Protection System (Integration)**

The Government / Authority may/must, by virtue of ... <sup>102</sup>, establish a disability pension system to provide financial support to individuals with disabilities who are unable to work or require additional financial assistance. This system must include clear eligibility criteria, application procedures, and benefit calculations that consider the unique needs and circumstances of individuals with disabilities.

The Government / Authority may/must, by virtue of ... <sup>103</sup>, establish old-age pension provisions to ensure financial security for elderly individuals. This includes establishing pension schemes, setting contribution rates, and managing pension funds to provide sustainable and adequate retirement benefits.

The Government / Authority may/must, by virtue of ... <sup>104</sup>, establish child benefit programs to provide financial assistance to families with children. These programs must include cash transfers, tax credits, and other forms of financial support to help families meet the costs of raising children and ensure their well-being.

The Government / Authority may/must, by virtue of ... <sup>105</sup>, establish caregiver allowances to recognise and support the efforts of individuals who provide care to vulnerable family members or friends. This includes providing financial compensation, respite care services, and other forms of support to help caregivers manage their responsibilities and maintain their own well-being.

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The Government / Authority may/must, by virtue of ... <sup>106</sup>, establish disability allowances to offer financial assistance to individuals with disabilities who face additional expenses or barriers to employment. This includes providing cash payments, tax credits, and other financial benefits to help individuals with disabilities cover the costs of their care, treatment, and living expenses.

The Government / Authority may/must, by virtue of ... <sup>107</sup>, establish housing subsidy programs to ensure that vulnerable individuals and individuals with special needs have access to safe, stable, and affordable housing. This includes providing financial assistance for rent, utilities, and other housing-related expenses, as well as supporting programs that promote affordable housing development and preservation.

The Government / Authority may/must, by virtue of ... <sup>108</sup>, establish transportation subsidies to ensure that individuals have access to affordable and reliable transportation options. This includes offering discounted or free public transportation, subsidizing the cost of private transportation services, and supporting initiatives that promote accessible and sustainable transportation solutions.

The Authority must offer utility assistance to help individuals cover the costs of essential utilities, such as electricity, water, and heating. This includes providing financial assistance, negotiating with utility providers to establish affordable payment plans, and supporting initiatives that promote energy efficiency and conservation.

The Government / Authority may/must, by virtue of ... <sup>109</sup>, provide tax exemptions and benefits to reduce the financial burden on vulnerable individuals and families. This includes offering tax credits, deductions, and other financial incentives that recognise the unique needs and circumstances of vulnerable populations.

The Government / Authority may/must, by virtue of ... <sup>110</sup>, establish healthcare subsidies to ensure that vulnerable individuals and individuals with special needs have access to affordable and comprehensive healthcare services. This includes covering the costs of medical treatments, prescription medications, preventive care, and other healthcare expenses, as well as supporting initiatives that promote healthcare access and affordability.

The Government / Authority may/must, by virtue of ... <sup>111</sup>, allocate rehabilitation funding to support individuals in recovering from injuries, illnesses, or disabilities and regaining their independence and quality of life. This includes covering the costs of medical treatments, therapies, assistive devices, and other rehabilitative services, as well as supporting initiatives that promote rehabilitation and reintegration into society.

The Government / Authority may/must, by virtue of ... <sup>112</sup>, establish assistive device funding to ensure that vulnerable individuals and individuals with special needs have access to the devices and technologies they need to participate fully in society. This includes covering the costs of purchasing, maintaining, and repairing assistive devices, as well as supporting initiatives that promote the development and distribution of innovative assistive technologies.

The Authority must offer emergency assistance to provide immediate support to vulnerable individuals, individuals with special needs and their families in crisis situations. This includes providing financial assistance, temporary housing, food aid, and other forms of emergency support to help individuals and families meet their basic needs and stabilize their situations.

The Government / Authority may/must, by virtue of ... <sup>113</sup>, establish food security programs to ensure that vulnerable individuals and individuals with special needs have access to sufficient, safe, and nutritious food. This includes providing food assistance, supporting community food initiatives, and promoting policies that address the root causes of food insecurity and hunger.

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The Government / Authority may/must, by virtue of ... <sup>114</sup>, establish poverty reduction linkages to ensure that social protection measures are integrated with broader efforts to reduce poverty and promote economic inclusion. This includes coordinating social protection programs with economic development initiatives, employment promotion strategies, and other poverty reduction measures to create a comprehensive and mutually reinforcing approach to addressing poverty and vulnerability.

The Government / Authority may/must implement social assistance targeting to ensure that benefits and services are directed to those who need them most. This includes establishing eligibility criteria, conducting needs assessments, and using data and evidence to inform the allocation of resources and the design of targeted interventions.

The Government / Authority may/must establish means testing mechanisms to ensure that benefits and services are provided to vulnerable individuals, individuals with special needs and their families based on their income, assets, and other financial circumstances. This includes setting thresholds for eligibility, conducting financial assessments, and regularly reviewing and updating means testing criteria to reflect changes in economic conditions and policy priorities.

The Government / Authority may/must, by virtue of ... <sup>115</sup>, establish clear application procedures to ensure that vulnerable individuals and individuals with special needs can easily access the benefits and services to which they are entitled. This includes establishing eligibility criteria, application forms, and submission processes, as well as providing assistance and support to help individuals navigate the application process and overcome any barriers they may face.

The Government / Authority may/must, by virtue of ... <sup>116</sup>, establish appeal mechanisms to ensure that individuals have the opportunity to challenge benefit decisions with which they disagree. This includes establishing appeal procedures, providing legal representation and support, and conducting fair and impartial appeal hearings to review and resolve disputes related to benefit eligibility or adequacy.

The Authority must enforce benefit adequacy standards to ensure that benefits and services are sufficient to meet the basic needs of eligible individuals and families. This includes setting minimum benefit levels, regularly reviewing and updating benefit amounts to reflect changes in the cost of living, and conducting assessments of benefit adequacy to inform policy decisions and program improvements.

The Government / Authority may/must, by virtue of ... <sup>117</sup>, establish inflation adjustment provisions to ensure that benefits keep pace with the rising cost of living. This includes regularly reviewing and updating benefit amounts to reflect changes in inflation rates, and conducting assessments of the adequacy of benefit levels to inform policy decisions and program improvements.

The Authority must recognise a vulnerability premium in benefit calculations to ensure that individuals with greater needs or vulnerabilities receive additional financial support. This includes incorporating vulnerability factors, such as disability, age, or health status, into benefit determinations and calculations, and providing additional benefits or services to eligible individuals based on their unique needs and circumstances.

The Government / Authority may/must, by virtue of ... <sup>118</sup>, establish counter-cyclical funding guarantees to ensure that social protection programs and services are sustained during economic downturns or other periods of fiscal constraint. This includes establishing reserve funds, diversifying funding sources, and implementing policies that prioritise the maintenance of essential benefits and services during times of economic uncertainty or instability.

The Government / Authority may/must, by virtue of ... <sup>119</sup>, establish graduated independence incentives in benefit design to encourage and support individuals in transitioning from reliance on benefits to greater self-sufficiency and economic independence. This includes providing financial incentives, employment supports, and other forms of assistance that help individuals secure and maintain stable and meaningful employment, reduce their dependence on benefits, and improve their overall economic well-being.

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The Authority must implement life transition prediction and support in benefit systems to anticipate and address the unique needs and challenges that individuals may face during significant life transitions, such as aging, disability onset, or changes in family or employment status. This includes conducting assessments of life transition needs, developing targeted interventions and supports, and providing assistance and resources to help individuals navigate transitions successfully and maintain their well-being and economic security.

The Government / Authority may/must, by virtue of ... <sup>120</sup>, establish simplified administrative procedures with vulnerability coefficients to ensure that benefits and services are accessible and responsive to the unique needs and circumstances of vulnerable individuals. This includes establishing clear and streamlined application and eligibility determination processes, providing flexible and adaptable service delivery models, and incorporating vulnerability factors into administrative policies and practices to promote accessibility, fairness, and effectiveness.

## Q. Technological Integration Framework

The Government / Authority may/must, by virtue of ... <sup>121</sup>, establish digital inclusion requirements with vulnerability accommodations to ensure that digital technologies and services are accessible to all individuals, including those with disabilities or special needs. This includes mandating accessibility standards for digital platforms, providing assistive technologies, and offering support services to help individuals overcome barriers to digital inclusion.

The Government / Authority may/must, by virtue of ... <sup>122</sup>, develop ethical AI use guidelines for vulnerability contexts to ensure that artificial intelligence technologies are used responsibly and ethically, particularly when applied to vulnerable populations. This includes establishing principles for fairness, transparency, and accountability in AI development and deployment, and providing oversight and regulation to prevent misuse or harm.

The Government / Authority may/must, by virtue of ... <sup>123</sup>, establish technology accessibility certification requirements to ensure that all digital technologies and services meet established accessibility standards. This includes conducting accessibility audits, certifying compliant technologies, and providing resources and support to help developers and providers improve the accessibility of their products and services.

The Government / Authority may/must, by virtue of ... <sup>124</sup>, establish remote service delivery standards for vulnerable users and users with special needs to ensure that these individuals have access to essential services through remote and digital means. This includes setting standards for the quality and security of remote service delivery, providing training and support to service providers, and ensuring that remote services are designed to meet the unique needs and preferences of vulnerable users.

The Government / Authority may/must, by virtue of ... <sup>125</sup>, establish data minimization requirements specific to vulnerability to protect the privacy and security of individuals with disabilities or special needs. This includes limiting the collection and use of personal data to only what is necessary for providing essential services, enforcing strict data protection measures, and providing individuals with control over their personal information.

The Government / Authority may/must, by virtue of ... <sup>126</sup>, establish technology abandonment prevention protocols to ensure that beneficial technologies are not prematurely discarded or replaced, leading to disruptions in care or support. This includes conducting regular assessments of technology effectiveness, providing maintenance and updates, and offering training and support to help individuals continue using technologies that enhance their quality of life.

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The Government / Authority may/must, by virtue of ... <sup>127</sup>, require user testing with diverse vulnerability representation to ensure that digital technologies and services are designed to be inclusive and accessible to vulnerable individuals and individuals with special needs. This includes involving individuals with diverse vulnerabilities in the testing and development process, gathering feedback on accessibility and usability, and making necessary adjustments to improve inclusivity.

The Authority must provide technology literacy support entitlements to ensure that vulnerable individuals and individuals with special needs have the skills and knowledge necessary to effectively use digital technologies. This includes offering training programs, workshops, and resources on digital literacy, as well as providing ongoing support to help individuals develop and maintain their technology skills.

The Government / Authority may/must, by virtue of ... <sup>128</sup>, establish cashless accessibility requirements for financial inclusion to ensure that individuals with disabilities or special needs have access to financial services and can participate fully in the digital economy. This includes mandating accessibility standards for financial technologies and services, providing assistive technologies and support services, and promoting policies and initiatives that support financial inclusion and literacy.

## **R: Crisis and Emergency Preparedness**

The Authority must implement vulnerability-specific emergency notification systems to ensure that individuals with special needs or vulnerabilities receive timely alerts during crises or emergencies. This includes developing systems that can deliver alerts through multiple channels, such as SMS, email, and automated calls, and ensuring that these systems are tailored to the specific communication needs of vulnerable individuals.

The Authority must establish individualised emergency preparedness planning to ensure that each person has a personalised emergency plan. This involves conducting assessments of individual needs and circumstances, developing tailored emergency plans that address these needs, and providing resources and support to help individuals prepare for and respond to emergencies effectively.

The Authority must establish accessible emergency shelters standards to ensure that emergency shelters are safe and accommodating for all individuals, including those with disabilities or special needs. This includes mandating accessibility features such as wheelchair ramps, accessible restrooms, and accommodations for service animals, as well as providing training for shelter staff on supporting vulnerable populations.

The Authority, authorities and institutional duty bearers must ensure continuity of support services during emergencies to provide uninterrupted care and assistance to vulnerable individuals and individuals with special needs. This includes coordinating with service providers to maintain essential services, establishing backup systems for critical support services, and providing additional resources and support during emergencies to meet increased needs.

The Authority must maintain a vulnerability registry for emergency services, with robust privacy protections in place to safeguard sensitive information. This registry must include detailed information on the specific needs and locations of vulnerable individuals, enabling emergency responders to provide targeted and effective assistance during crises.

The Authority must provide fast-track reconstruction assistance for vulnerable households to ensure rapid recovery following disasters or emergencies. This includes prioritizing the restoration of essential services, providing financial and material assistance for rebuilding efforts, and coordinating with local authorities and organisations to expedite the reconstruction process.

The Authority must implement alternative communication methods during emergencies to ensure that individuals with communication difficulties or disabilities can access and receive critical information. This includes providing communication devices and technologies, such as text-to-speech tools, sign language interpreters, and braille materials, and ensuring that emergency communication systems are compatible with these alternatives.

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The Authority must enforce priority restoration of services for vulnerable populations to ensure that essential services are quickly reestablished following disruptions or disasters. This includes coordinating with utility providers and service agencies to prioritize the restoration of electricity, water, and other critical services to vulnerable households and communities.

The Authority must establish mandatory evacuation assistance protocols to ensure the safety and well-being of vulnerable individuals and individuals with special needs during evacuations. This includes developing detailed evacuation plans, providing transportation and support services to assist with evacuation, and ensuring that evacuation routes and shelters are accessible and accommodating for these individuals.

## S. Digital Rights and Protection<sup>129</sup>

The Authority must enforce the right to be forgotten in digital contexts, with specific protections tailored to the needs of vulnerable individuals. This includes allowing individuals to request the removal of personal data from online platforms and services, ensuring that sensitive information is not retained indefinitely, and providing mechanisms for individuals to control their digital footprint.

The Government / Authority may/must, by virtue of ...<sup>130</sup>, establish digital representation safeguards for vulnerable persons to protect their rights and interests in digital environments. This includes ensuring that digital representations of individuals are accurate and respectful, preventing misuse or exploitation of digital identities, and providing individuals with control over how their digital representations are used.

The Government / Authority may/must, by virtue of ...<sup>131</sup>, establish online vulnerability exploitation prohibitions to ensure the safety and security of vulnerable individuals in digital spaces. This includes criminalizing the exploitation of vulnerabilities for personal or financial gain, implementing measures to detect and prevent online exploitation, and providing support and resources to victims of online exploitation.

The Government / Authority may/must, by virtue of ...<sup>132</sup>, mandate digital platform responsibility for vulnerability protection to ensure that platforms are accountable for protecting vulnerable users. This includes requiring platforms to implement security measures, monitor for and respond to vulnerabilities, and provide transparency and accountability in their protection efforts.

The Government / Authority may/must, by virtue of ...<sup>133</sup>, establish assistive technology compatibility requirements to ensure that digital platforms and services are accessible to individuals with disabilities. This includes mandating that digital technologies are compatible with assistive devices and software, providing resources and support for the integration of assistive technologies, and ensuring that digital content is designed to be usable by individuals with diverse needs.

The Government / Authority may/must, by virtue of ...<sup>134</sup>, establish simplified digital consent frameworks to ensure that vulnerable individuals and individuals with special needs can provide informed consent for the use of their personal data. This includes developing clear and concise consent forms, providing individuals with control over their consent preferences, and ensuring that consent is obtained freely and without coercion.

The Government / Authority may/must, by virtue of ...<sup>135</sup>, establish digital estate planning requirements for support arrangements to ensure continuity of digital assets and services. This includes mandating that individuals have the ability to plan for the management and transfer of their digital assets, providing support and resources for digital estate planning, and ensuring that digital assets are protected and transferred according to the individual's wishes.

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<sup>129</sup> See also Chapter N. of these [Cross-sectoral Standard Provisions for Regulation](#).

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The Government / Authority may/must, by virtue of ... <sup>136</sup>, establish vulnerability-specific online safety provisions to ensure the protection of vulnerable individuals in digital environments. This includes developing safety protocols tailored to the unique needs and risks of vulnerable populations, providing education and training on online safety, and enforcing measures to prevent and respond to online threats and harms.

The Government / Authority may/must, by virtue of ... <sup>137</sup>, mandate digital literacy education to ensure that individuals have the skills and knowledge necessary to navigate digital environments safely and effectively. This includes providing education on digital literacy, online safety, and responsible digital citizenship, as well as offering resources and support to help individuals develop and maintain their digital skills.

The Government / Authority may/must, by virtue of ... <sup>138</sup>, establish vulnerability-enhanced data breach protections to ensure the security and privacy of vulnerable individuals' personal data. This includes implementing robust security measures to prevent data breaches, providing prompt notification and support in the event of a data breach, and ensuring that individuals are protected from the potential harms and consequences of data breaches.

## T. Implementation Mechanisms

The Authority must establish a national coordination body to oversee and manage the implementation of policies and programs across the country. This body must be responsible for coordinating efforts among various stakeholders, ensuring consistency in implementation, and monitoring progress to ensure that objectives are met.

The Government / Authority may/must, by virtue of ... <sup>139</sup>, define other authorities' responsibilities for the implementation of policies and programs. This includes assigning specific tasks, setting performance expectations, and holding authorities accountable for achieving implementation goals.

The Government / Authority may/must, by virtue of ... <sup>140</sup>, organise the implementation at the provincial or state level to ensure that regional authorities are actively engaged in executing policies and programs. This involves delegating responsibilities to provincial or state governments, providing them with the necessary resources and support, and coordinating efforts across regions to ensure consistency and effectiveness.

The Government / Authority may/must, by virtue of ... <sup>141</sup>, establish obligations for local governments in implementation to ensure that municipal authorities play an active role in executing policies and programs. This includes defining the responsibilities of local governments, providing them with the necessary resources and support, and coordinating efforts with regional and national authorities to ensure comprehensive implementation.

The Authority must establish multi-sectoral coordination mechanisms to facilitate collaboration and communication among different sectors involved in implementation. This includes creating platforms for inter-sectoral dialogue, establishing joint working groups, and coordinating efforts to ensure that implementation is cohesive and integrated.

The Authority must require stakeholder participation in implementation to ensure that all relevant parties are actively engaged in the process. This involves identifying key stakeholders, providing them with opportunities to contribute to decision-making, and incorporating their feedback and input into implementation strategies.

The Authority must involve civil society in implementation to leverage the expertise, resources, and perspectives of non-governmental organisations and community groups. This includes creating mechanisms for civil society engagement, providing support and resources to civil society organisations, and incorporating their input into implementation efforts.

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The Authority must provide for user representation in implementation to ensure that the voices and experiences of end-users are considered and integrated into the process. This involves establishing user advisory groups, conducting user consultations, and incorporating user feedback into implementation strategies and decisions.

The Authority must establish an advisory council for implementation to provide expert guidance and oversight. This council must be composed of representatives from various sectors, including academia, industry, and civil society, and must be responsible for advising on implementation strategies, monitoring progress, and providing recommendations for improvement.

The Authority must establish technical committees for implementation to address specific technical aspects of the process. These committees must be composed of experts in relevant fields and must be responsible for developing technical standards, providing guidance on implementation, and ensuring that technical aspects of the process are effectively managed.

The Government / Authority may/must, by virtue of ... <sup>142</sup>, establish standards for professional qualifications to ensure that individuals involved in implementation possess the necessary skills and knowledge. This includes defining the qualifications required for various roles, establishing certification programs, and providing training and support to help professionals meet these standards.

The Government / Authority may/must, by virtue of ... <sup>143</sup>, establish requirements for professional certification to ensure that individuals involved in implementation are qualified and competent. This includes developing certification programs, setting standards for certification, and providing resources and support to help professionals obtain and maintain certification.

The Government / Authority may/must, by virtue of ... <sup>144</sup>, establish standards for training programs to ensure that individuals involved in implementation receive high-quality training. This includes defining the content and format of training programs, establishing criteria for training providers, and providing resources and support to help individuals access and complete training.

The Authority must establish obligations for raising awareness to ensure that the public is informed about policies, programs, and implementation efforts. This includes conducting public education campaigns, developing informational materials, and engaging with the media to promote awareness and understanding.

The Authority must conduct information campaigns to educate the public about the importance of implementation efforts and how they can contribute to their success. This includes developing targeted messaging, utilizing various communication channels, and engaging with community leaders and influencers to amplify the reach and impact of the campaigns.

The Authority must promote research on vulnerability and persons with special needs to advance understanding and inform implementation efforts. This includes funding research projects, supporting academic and research institutions, and disseminating research findings to inform policy and practice.

The Government / Authority may/must, by virtue of ... <sup>145</sup>, establish requirements for data collection to ensure that accurate and comprehensive data is gathered to support implementation efforts. This includes defining data collection methods, establishing data standards, and providing resources and support to facilitate data collection.

The Authority must establish statistical information systems to manage and analyse data collected during implementation. This includes developing systems for data storage, analysis, and reporting, and ensuring that data is used effectively to inform decision-making and improve implementation outcomes.

The Government / Authority may/must, by virtue of ... <sup>146</sup>, establish provisions for resource allocation to ensure that the necessary resources are available to support implementation efforts. This includes defining resource needs, allocating budgets, and coordinating resource distribution to ensure that implementation is adequately supported.

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The Authority must establish a timeline for implementation to ensure that efforts are completed in a timely and organized manner. This includes defining key milestones, setting deadlines, and monitoring progress to ensure that implementation stays on track.

The Authority must establish a phased approach to implementation to ensure that efforts are managed effectively and efficiently. This includes defining phases of implementation, setting goals and objectives for each phase, and coordinating efforts to ensure a smooth transition between phases.

The Authority must encourage innovation through living laboratory approaches to policy implementation. This includes creating experimental spaces for testing and refining implementation strategies, promoting a culture of innovation and continuous improvement, and leveraging real-world data and feedback to inform implementation efforts.

The Authority must initiate pilot programs to test and refine implementation strategies before full-scale rollout. This includes defining the scope and objectives of pilot programs, providing resources and support, and evaluating outcomes to inform broader implementation efforts.

The Authority must establish mechanisms for scaling up implementation to ensure that successful pilot programs and strategies are expanded and replicated on a larger scale. This includes defining scaling-up criteria, providing resources and support, and coordinating efforts to ensure effective and efficient expansion.

The Authority must consider rural areas in implementation to ensure that the unique needs and challenges of rural communities are addressed. This includes conducting assessments of rural needs, developing targeted strategies, and providing resources and support to facilitate effective implementation in rural areas.

The Authority must take measures for hard-to-reach populations to ensure that implementation efforts are inclusive and accessible to all individuals. This includes identifying hard-to-reach populations, developing targeted outreach strategies, and providing resources and support to facilitate effective engagement and participation.

The Authority must encourage effective implementation through results-based implementation incentives. This includes establishing performance metrics, providing rewards and recognition for achieving implementation goals, and promoting a culture of continuous improvement and accountability.

The Authority must/may establish private sector implementation partnerships, with regulation, to leverage the resources, expertise, and innovation of the private sector in supporting implementation efforts. This includes defining partnership criteria, establishing regulatory frameworks, and coordinating efforts to ensure effective and mutually beneficial collaboration.

The Authority must ensure public oversight through civic implementation monitoring mechanisms. This includes establishing platforms for public engagement, providing transparency and accountability in implementation efforts, and encouraging active citizen participation in monitoring and evaluating implementation progress.

The Authority must monitor progress through technology-enabled implementation tracking platforms. This includes developing digital platforms for tracking implementation progress, providing real-time data and analytics, and using technology to enhance transparency, accountability, and effectiveness in implementation efforts.

The Authority must tailor implementation to specific needs through micro-implementation plans for specific vulnerability groups. This includes conducting assessments of group-specific needs, developing targeted implementation strategies, and providing resources and support to facilitate effective and inclusive implementation efforts.

The Authority must ensure preparedness for implementation through institutional readiness assessments. This includes conducting assessments of institutional capacity, identifying areas for improvement, and providing resources and support to enhance institutional readiness and effectiveness in implementation efforts.

The Authority must ensure coordinated implementation through a cross-departmental vulnerability focal points system. This includes establishing focal points within each department, facilitating inter-departmental

communication and collaboration, and coordinating efforts to ensure cohesive and integrated implementation.

The Authority must ensure fairness across regions through geographic implementation equity. This includes conducting assessments of regional needs and disparities, developing targeted strategies to address regional inequities, and providing resources and support to promote equitable implementation across all regions.

## U. Monitoring, Licensing<sup>147</sup>, and Accountability

N.B.: This Chapter can be supplemented by the provisions of Chapters J., K., L. and O. of the [Cross-sectoral Standard Provisions](#).

The Government / Authority may/must, by virtue of ...<sup>148</sup>, establish an independent monitoring body responsible for overseeing the implementation and effectiveness of policies and programs. This body must operate autonomously to ensure impartiality and must have the authority to conduct investigations, reviews, and audits as necessary.

The Government / Authority must define the powers of the monitoring body to enable it to carry out its duties effectively. These powers must include the authority to access relevant information, conduct inspections, interview stakeholders, and issue recommendations or directives based on its findings.

The Government / Authority must grant inspection authority to the monitoring body, allowing it to conduct on-site inspections of facilities, programs, and services to assess compliance with standards and regulations. This Authority must include the power to enter premises, review records, and interview staff and service users.

The Government / Authority may/must, by virtue of ...<sup>149</sup>, establish investigation powers for the monitoring body to enable it to thoroughly investigate allegations of misconduct, non-compliance, or inefficiencies. These powers must include the ability to summon witnesses, compel the production of documents, and conduct hearings as part of the investigative process.

The monitoring body must provide timely and comprehensive reports on its activities, findings, and recommendations. These reports must be submitted to relevant stakeholders, including government agencies, legislative bodies, and the public, to promote transparency and accountability.

The Authority and the monitoring body must establish performance indicators to measure the effectiveness and efficiency of programs and services. These indicators must be clearly defined, quantifiable, and aligned with the objectives of the policies and programs being monitored.

The Authority and the monitoring body must implement outcome measurement frameworks to assess the impact and results of policies and programs. This involves defining key outcomes, establishing methods for data collection and analysis, and using this information to inform decision-making and improve service delivery.

The Government / Authority may/must, by virtue of ...<sup>150</sup>, establish service quality standards<sup>151</sup> to ensure that all activities and services covered by this Law meet minimum levels of quality and effectiveness. These standards must be based on best practices, evidence-based guidelines, and input from stakeholders, including service users and providers.

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<sup>147</sup> Regarding licensing, see Chapter D of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>148</sup> Define the appropriate type of regulation.

<sup>149</sup> Define the appropriate type of regulation.

<sup>150</sup> Define the appropriate type of regulation.

<sup>151</sup> The various specific powers regarding quality standards might become superfluous if this power is selected.

The Government / Authority may/must, by virtue of ... <sup>152</sup>, establish licensing<sup>153</sup> requirements to regulate the provision of services and ensure that only qualified and competent providers are authorised to operate. This includes establishing criteria for licensing, conducting background checks, and requiring ongoing compliance with standards and regulations.

The Government / Authority may/must, by virtue of ... <sup>154</sup>, establish accreditation systems<sup>155</sup> to recognise and certify providers that meet high standards of quality and performance. This involves developing accreditation criteria, conducting assessments, and providing certification to providers that demonstrate excellence in service delivery.

The Government / Authority may/must, by virtue of ... <sup>156</sup>, establish complaint mechanisms<sup>157</sup> to provide individuals with a means of raising concerns or reporting issues related to services or policies. These mechanisms must be accessible, confidential, and effective in addressing and resolving complaints.

The Government / Authority may/must, by virtue of ... <sup>158</sup>, establish administrative remedies<sup>159</sup> to provide individuals with avenues for seeking redress for grievances or disputes related to services or policies.<sup>160</sup> These remedies must include processes for reviewing and addressing administrative decisions, providing compensation or relief as appropriate, and ensuring that individuals' rights are protected.

The Government / Authority may/must, by virtue of ... <sup>161</sup>, establish judicial remedies<sup>162</sup> to enable individuals to seek legal recourse for violations of their rights or entitlements under policies or programs. This includes providing access to courts or tribunals, ensuring fair and impartial hearings, and enforcing judgments or orders as necessary.

The Authority must provide mediation options to facilitate the resolution of disputes or conflicts related to services or policies<sup>163</sup>. This involves establishing mediation services, training mediators, and promoting the use of mediation as an alternative to formal legal proceedings.

The Government / Authority must establish ombudsperson functions to provide an independent and impartial mechanism for addressing complaints, investigating allegations of misconduct, and promoting fairness and accountability in service delivery. The ombudsperson must have the Authority to conduct investigations, issue recommendations, and report findings to relevant stakeholders.

The Authority must implement user feedback mechanisms to gather input and perspectives from service users on the quality and effectiveness of services. This includes conducting surveys, focus groups, and interviews, and using this feedback to inform service improvements and policy development.

The Authority must regularly evaluate, review and update policies, programs, and services to reflect changing needs, circumstances, and best practices. These exercises must be conducted at specified intervals and must involve input from stakeholders, including service users and providers.

The Government must establish parliamentary oversight to ensure that legislative bodies play an active role in monitoring and evaluating the implementation and effectiveness of policies and programs. This includes conducting hearings, reviewing reports, and holding government agencies accountable for their performance and outcomes.

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<sup>152</sup> Define the appropriate type of regulation.

<sup>153</sup> Regarding licensing, see Chapter D of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>154</sup> Define the appropriate type of regulation.

<sup>155</sup> Regarding accreditation, see Chapter E of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>156</sup> Define the appropriate type of regulation.

<sup>157</sup> There are various more specific complaint mechanism provisions spread over these model provisions that do not need to be selected if this provision has been selected.

<sup>158</sup> Define the appropriate type of regulation.

<sup>159</sup> There are various more specific provisions on remedies spread over these model provisions that do not need to be selected if this provision has been selected.

<sup>160</sup> See Chapter M. of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>161</sup> Define the appropriate type of regulation.

<sup>162</sup> There are various more specific provisions on remedies spread over these model provisions that do not need to be selected if this provision has been selected.

<sup>163</sup> See Chapter M. of these [Cross-sectoral Standard Provisions for Regulation](#).

The Government / Authority may/must, by virtue of ... <sup>164</sup>, establish transparency requirements to ensure that all aspects of policy and program implementation are open, accessible, and subject to public scrutiny. This includes mandating the disclosure of information, promoting open data initiatives, and ensuring that stakeholders have access to the information they need to participate effectively in governance and decision-making processes.

The Government / Authority may/must, by virtue of ... <sup>165</sup>, establish whistleblower protections<sup>166</sup> to safeguard individuals who report misconduct, fraud, or other wrongdoing related to policies or programs. These protections must include confidentiality, legal immunity, and support services to prevent retaliation and ensure that whistleblowers can report concerns without fear of reprisal.

The Authority must establish corrective action procedures to address and remedy identified issues, deficiencies, or non-compliance with policies or standards. This includes developing action plans, assigning responsibilities, setting deadlines, and monitoring progress to ensure that corrective actions are implemented effectively and efficiently.

The Authority must develop improvement plans to ensure that identified issues or deficiencies are addressed through structured and systematic efforts. This involves developing detailed improvement plans, setting goals and objectives, assigning responsibilities, and monitoring progress to ensure that improvements are achieved and sustained.

The Authority must implement reward systems for compliance to recognise and incentivise adherence to standards, regulations, and best practices. This includes providing financial incentives, public recognition, awards, or other forms of acknowledgment to encourage compliance and promote excellence in service delivery.

The Authority must conduct lived experience audits to ensure that feedback from individuals with direct experience of services or policies is incorporated into evaluation and improvement efforts. This involves engaging service users in the audit process, gathering their input and perspectives, and using this information to inform service improvements and policy development.

The Authority must conduct algorithmic impact assessments for vulnerable groups to ensure that digital systems and technologies are fair, unbiased, and do not disproportionately impact vulnerable populations. This includes evaluating the potential impacts of algorithms on vulnerable groups, implementing safeguards to prevent bias or discrimination, and promoting transparency and accountability in the use of digital technologies.

The Government / Authority must apply vulnerability-focused budget tagging and tracking to ensure transparency and accountability in the allocation and use of funds for vulnerable populations. This includes tagging budget items related to vulnerability, tracking expenditures, and reporting on the use of funds to promote transparency and ensure that resources are used effectively and efficiently.

The Authority must implement real-time feedback platforms to provide individuals with the opportunity to provide immediate feedback on services or policies. These platforms must be accessible, user-friendly, and designed to accommodate the diverse needs and preferences of users, ensuring that feedback is collected and addressed in a timely and effective manner.

The Authority must apply outcome equity analysis to ensure that policies and programs promote fair and equitable outcomes for all individuals, including vulnerable populations. This involves conducting analyses of outcomes, identifying disparities or inequities, and implementing strategies to address and remedy these issues.

The Authority must establish peer-led monitoring mechanisms to involve individuals with lived experience in the monitoring and evaluation of services or policies. This includes providing training, support, and resources to peer monitors, and incorporating their input and perspectives into evaluation and improvement efforts.

The Authority must implement independent visitor schemes with report-back obligations to ensure that individuals in institutional or care settings have access to independent visitors who can provide support,

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<sup>164</sup> Define the appropriate type of regulation.

<sup>165</sup> Define the appropriate type of regulation.

<sup>166</sup> Regarding whistleblower protection, see Chapter E of these [Cross-sectoral Standard Provisions for Regulation](#).

advocacy, and oversight. These visitors must be trained and supported in their roles, and must be required to report back on their findings and recommendations.

The Authority must apply vulnerability-weighted performance metrics to ensure that the unique needs and circumstances of vulnerable populations are considered in the evaluation of services or policies. This involves developing metrics that reflect the specific challenges and priorities of vulnerable groups, and using these metrics to inform evaluation, improvement, and decision-making processes.

The Authority must implement proactive detection analytics with ethical safeguards to identify and address potential issues, risks, or non-compliance before they escalate. This includes using data analytics and other technologies to monitor and analyse trends, patterns, and outliers, and implementing safeguards to ensure that analytics are used ethically and responsibly.

The Authority must apply multi-method triangulation for program evaluation to ensure that evaluations are robust, comprehensive, and based on multiple sources of evidence. This involves using a combination of quantitative and qualitative methods, incorporating input from diverse stakeholders, and triangulating data to validate findings and inform decision-making and improvement efforts.

## V. Enforcement Framework

N.B.:

- This Chapter can be supplemented by the provisions of Chapters J., K., L. and O. of the [Cross-sectoral Standard Provisions](#) and of the complementing [List of Powers and Obligations](#).
- Consider merging the various provisions on powers in this collection of model provisions into this Chapter.

The Government / Authority may/must, by virtue of ... <sup>167</sup>, adopt binding regulations, guidelines, and standards necessary for the implementation and enforcement of policies and programs. This includes the authority to set rules, establish procedures, and define compliance criteria.

The Authority has the power to conduct inspections, audits, and investigations to monitor compliance with regulations and standards. This includes the authority to enter premises, review records, interview individuals, and collect evidence as necessary.

The Authority has the power to issue notices of violation or non-compliance, specifying the nature of the violation and the corrective actions required. This includes the authority to set deadlines for compliance and to impose penalties for failure to comply.

The Authority has the power to impose administrative sanctions, including fines, penalties, and other disciplinary actions, for violations of regulations and standards. This includes the authority to determine the severity of sanctions based on the nature and extent of the violation.

The Authority has the power to revoke or suspend licenses, permits, or certifications for serious or repeated violations of regulations and standards. This includes the authority to initiate and oversee the revocation process, ensuring due process and fairness.

The Authority has the power to refer cases of suspected criminal activity to law enforcement agencies for further investigation and prosecution. This includes the authority to collaborate with law enforcement, share evidence, and support criminal proceedings.

The Authority has the power to initiate legal proceedings, including civil and administrative actions, to enforce compliance with regulations and standards. This includes the authority to file lawsuits, seek injunctions, and pursue other legal remedies as necessary.

The Authority has the power to issue cease and desist orders to halt activities or practices that violate regulations and standards. This includes the authority to enforce such orders and to impose penalties for non-compliance.

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<sup>167</sup> Define the appropriate type of regulation.

The Authority has the power to require the remediation of violations, including the correction of deficiencies, the implementation of corrective actions, and the restoration of conditions to comply with regulations and standards. This includes the authority to oversee and verify the completion of remediation efforts.

The Authority has the power to mandate training, education, and awareness programs to promote compliance with regulations and standards. This includes the authority to require participation in such programs and to monitor their effectiveness.

The Government / Authority may/must, by virtue of ... <sup>168</sup>, establish mechanisms for administrative enforcement to ensure that regulations and standards are upheld. This includes creating processes for issuing warnings, notices of violation, and administrative orders, as well as procedures for appealing administrative decisions.

The Government / Authority may/must, by virtue of ... <sup>169</sup>, establish provisions for license revocation to address serious or repeated violations of regulations and standards. This includes defining the criteria and procedures for license revocation, ensuring due process, and providing opportunities for appeal.

The Government / Authority may/must, by virtue of ... <sup>170</sup>, establish provisions for aggravated offenses to address violations that involve intentional misconduct, repeat offenses, or significant harm to vulnerable populations. This includes enhancing penalties for aggravated offenses and ensuring that aggravating factors are considered in sentencing.

The Government / Authority may/must, by virtue of ... <sup>171</sup>, establish civil remedies to provide individuals with avenues for seeking redress for violations of their rights or entitlements under regulations and standards. This includes providing access to courts, enabling individuals to seek injunctions, damages, and other forms of relief.

The Government / Authority may/must, by virtue of ... <sup>172</sup>, establish provisions for compensation to ensure that individuals who have been harmed by violations of regulations and standards are adequately compensated for their losses. This includes defining the criteria and procedures for awarding compensation, ensuring fairness, and promoting accountability.

The Government / Authority may/must, by virtue of ... <sup>173</sup>, establish provisions for class actions to enable groups of individuals with similar claims to pursue legal action collectively. This includes defining the criteria and procedures for certifying class actions, ensuring fairness, and promoting efficiency in the resolution of claims.

The Government / Authority may/must, by virtue of ... <sup>174</sup>, establish provisions for public interest litigation to enable individuals or organisations to bring legal action on behalf of the public interest.<sup>175</sup> This includes defining the criteria and procedures for initiating public interest litigation, ensuring fairness, and promoting accountability.

The Government / Authority may/must, by virtue of ... <sup>176</sup>, establish provisions for legal aid to ensure that individuals have access to legal representation and support, regardless of their financial means. This includes providing funding for legal aid services, establishing eligibility criteria, and ensuring that legal aid is accessible and effective.

The Government / Authority may/must, by virtue of ... <sup>177</sup>, establish requirements for legal representation to ensure that individuals have access to competent and qualified legal representation in enforcement

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<sup>168</sup> Define the appropriate type of regulation.

<sup>169</sup> Define the appropriate type of regulation.

<sup>170</sup> Define the appropriate type of regulation.

<sup>171</sup> Define the appropriate type of regulation.

<sup>172</sup> Define the appropriate type of regulation.

<sup>173</sup> Define the appropriate type of regulation.

<sup>174</sup> Define the appropriate type of regulation.

<sup>175</sup> See also the more detailed provisions of Section 67 of the [Cross-sectoral Standard Provisions](#).

<sup>176</sup> Define the appropriate type of regulation.

<sup>177</sup> Define the appropriate type of regulation.

proceedings. This includes defining the standards and qualifications for legal representatives, ensuring fairness, and promoting accountability.

The Government / Authority may/must, by virtue of ... <sup>178</sup>, establish provisions for burden of proof to define the standards and procedures for allocating the burden of proof in enforcement proceedings. This includes ensuring that the burden of proof is fair and reasonable, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>179</sup>, establish provisions for limitation periods to define the timeframes within which enforcement actions must be initiated. This includes ensuring that limitation periods are fair and reasonable, and promoting timely resolution of enforcement proceedings.

The Government / Authority may/must, by virtue of ... <sup>180</sup>, establish rules for evidence to define the standards and procedures for the admission and evaluation of evidence in enforcement proceedings. This includes ensuring that evidence rules are fair and reasonable, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>181</sup>, establish provisions for expert testimony to define the standards and procedures for the admission and evaluation of expert testimony in enforcement proceedings. This includes ensuring that expert testimony is reliable and relevant, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>182</sup>, establish provisions for victim protection in proceedings to ensure that victims of violations are protected from further harm or intimidation during enforcement proceedings. This includes providing support services, ensuring confidentiality, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>183</sup>, establish provisions for expedited proceedings to ensure that enforcement actions are resolved promptly and efficiently. This includes defining the criteria and procedures for expedited proceedings, ensuring fairness, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>184</sup>, establish provisions for alternative dispute resolution to provide individuals with avenues for resolving enforcement disputes outside of formal legal proceedings.<sup>185</sup> This includes defining the criteria and procedures for alternative dispute resolution, ensuring fairness, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>186</sup>, establish the powers of other authorities to ensure that they have the necessary authority and resources to enforce regulations and standards effectively. This includes defining the scope and limits of enforcement powers, ensuring accountability, and promoting transparency.

The Government / Authority may/must, by virtue of ... <sup>187</sup>, establish mechanisms for verifying compliance to ensure that regulations and standards are being adhered to. This includes conducting inspections, audits, and reviews, as well as providing opportunities for appeal and redress.

The Government / Authority may/must, by virtue of ... <sup>188</sup>, establish procedures for follow-up to ensure that enforcement actions are effectively implemented and monitored. This includes conducting follow-up inspections, reviews, and assessments, as well as providing support and resources to facilitate compliance.

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<sup>178</sup> Define the appropriate type of regulation.

<sup>179</sup> Define the appropriate type of regulation.

<sup>180</sup> Define the appropriate type of regulation.

<sup>181</sup> Define the appropriate type of regulation.

<sup>182</sup> Define the appropriate type of regulation.

<sup>183</sup> Define the appropriate type of regulation.

<sup>184</sup> Define the appropriate type of regulation.

<sup>185</sup> See Chapter M. of these [Cross-sectoral Standard Provisions for Regulation](#).

<sup>186</sup> Define the appropriate type of regulation.

<sup>187</sup> Define the appropriate type of regulation.

<sup>188</sup> Define the appropriate type of regulation.

The Government / Authority may/must, by virtue of ... <sup>189</sup>, establish requirements for remediation to ensure that violations are corrected and their impacts are mitigated. This includes defining the standards and procedures for remediation, ensuring fairness, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>190</sup>, ensure that remedies are designed to be responsive to the unique needs and circumstances of vulnerable populations. This includes incorporating vulnerability factors into remedy design, ensuring fairness, and promoting accountability and transparency.

The Authority must prioritise victim needs in enforcement procedures to ensure that the rights and interests of victims are protected and upheld. This includes providing support services, ensuring confidentiality, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>191</sup>, enable collective action in enforcement proceedings to ensure that groups of individuals with similar claims can pursue legal action collectively. This includes defining the criteria and procedures for representative enforcement actions, ensuring fairness, and promoting accountability and transparency.

The Government / Authority may/must, by virtue of ... <sup>192</sup>, ensure that enforcement procedures are accessible and responsive to the unique needs and circumstances of vulnerable populations. This includes simplifying procedures, providing support services, and promoting accountability and transparency.

The Authority must encourage compliance through regulatory nudging before resorting to punitive enforcement measures. This includes using incentives, reminders, and other non-punitive measures to promote compliance, ensuring fairness, and promoting accountability and transparency.

The Authority must support compliance through compliance assistance programs before initiating enforcement actions. This includes providing training, education, and resources to help individuals and organisations comply with regulations and standards, ensuring fairness, and promoting accountability and transparency.

The Authority must ensure internal compliance through enforced self-regulation, supported by vulnerability audits. This includes requiring organisations to conduct self-assessments, implement corrective actions, and undergo vulnerability audits to ensure compliance, ensuring fairness, and promoting accountability and transparency.

The Authority must encourage compliance through reputational enforcement mechanisms, leveraging the power of reputation to promote adherence to regulations and standards. This includes publicizing compliance information, recognising and rewarding good performance, and promoting accountability and transparency.

The Authority must encourage community involvement in enforcement through community enforcement partnerships. This includes collaborating with community organisations, engaging community members in enforcement efforts, and promoting accountability and transparency.

The Authority must base enforcement actions on the potential harm of violations, using a tiered enforcement approach. This includes defining tiers of enforcement based on the severity and impact of violations, ensuring fairness, and promoting accountability and transparency.

## W. Sanctions

N.B.: This Chapter can be supplemented by the provisions of the [List of Sanctions and Accompanying Measures](#).

The Government / Authority may, by virtue of ... <sup>193</sup>, establish a framework for progressive sanctions to ensure that enforcement actions are proportionate and escalate appropriately in response to repeated or

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<sup>189</sup> Define the appropriate type of regulation.

<sup>190</sup> Define the appropriate type of regulation.

<sup>191</sup> Define the appropriate type of regulation.

<sup>192</sup> Define the appropriate type of regulation.

<sup>193</sup> Define the appropriate type of regulation.

severe violations. This includes defining the criteria and procedures for progressive sanctions, ensuring fairness, and promoting accountability and transparency.

The Government / Authority must/may, by virtue of ... <sup>194</sup>, establish administrative sanctions to penalise non-compliance with regulations and standards. These sanctions must be proportionate to the severity of the violation and may include fines, suspension or revocation of licenses, and other disciplinary actions.

The Government / Authority must/may, by virtue of ... <sup>195</sup>, establish criminal offenses to address severe violations of regulations and standards that pose significant risks to public health, safety, or welfare. This includes defining the elements of criminal offenses, setting penalties, and ensuring that criminal proceedings are fair and impartial.

The Government / Authority may, by virtue of ... <sup>196</sup>, establish criminal penalties to deter and punish severe violations of regulations and standards. These penalties must be proportionate to the severity of the offense and may include imprisonment, fines, community service, and other sanctions.

The Government / Authority must/may, by virtue of ... <sup>197</sup>, establish provisions for aggravated offenses to address violations that involve intentional misconduct, repeat offenses, or significant harm to vulnerable populations. This includes enhancing penalties for aggravated offenses and ensuring that aggravating factors are considered in sentencing.

The Authority has the power to impose administrative sanctions, including fines, penalties, and disciplinary actions, for violations of regulations and standards. This includes the authority to determine the severity of sanctions based on the nature and extent of the violation.

The Authority has the power to refer cases of suspected criminal activity to tribunals, courts or other law enforcement institutions for further investigation and prosecution. This includes the authority to collaborate with these institutions, share evidence, and support criminal proceedings.

## X. Cross-Border Protection

The Government / Authority must/may, by virtue of ... <sup>198</sup>, establish jurisdictional rules to determine which legal Authority has the power to address cross-border issues. These rules must clearly define the scope and limits of jurisdiction, ensuring that there is no overlap or gap in legal coverage and that individuals receive appropriate protection regardless of where they are located.

The Government / Authority must/may, by virtue of ... <sup>199</sup>, establish provisions for applicable law to determine which laws apply in cross-border situations. This includes defining the criteria for selecting the applicable law, ensuring consistency and fairness in legal application, and preventing conflicts between different legal systems.

The Government / Authority must/may, by virtue of ... <sup>200</sup>, recognise foreign legal orders to ensure that decisions made by foreign courts are respected and enforced domestically<sup>201</sup>. This includes establishing procedures for the recognition and enforcement of foreign judgments, ensuring that individuals can rely on legal decisions made abroad.

The Authority must enforce foreign legal measures to ensure that legal actions taken in one jurisdiction are effectively implemented in another<sup>202</sup>. This includes coordinating with foreign authorities, sharing information, and ensuring that foreign legal measures are executed in accordance with domestic laws and procedures.

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<sup>194</sup> Define the appropriate type of regulation.

<sup>195</sup> Define the appropriate type of regulation.

<sup>196</sup> Define the appropriate type of regulation.

<sup>197</sup> Define the appropriate type of regulation.

<sup>198</sup> Define the appropriate type of regulation.

<sup>199</sup> Define the appropriate type of regulation.

<sup>200</sup> Define the appropriate type of regulation.

<sup>201</sup> It is recommended to subject such mechanisms to conditions regarding the respect of the rule of law and of human rights.

<sup>202</sup> Idem.

The Authority must designate central authorities for cross-border protection to serve as the primary points of contact for international cooperation and coordination. These authorities must be responsible for managing cross-border cases, facilitating communication between jurisdictions, and ensuring that international legal obligations are met.

The Authority must establish mechanisms for international cooperation to facilitate collaboration between countries in addressing cross-border issues. This includes creating frameworks for information sharing, joint investigations, and coordinated enforcement efforts, as well as promoting diplomatic and legal cooperation.

The Authority must establish protocols for exchanging information to ensure that relevant data and intelligence are shared between jurisdictions in a timely and secure manner. This includes defining the types of information to be shared, establishing secure communication channels, and ensuring that information exchange is conducted in accordance with legal and privacy standards.

The Government / Authority must/may, by virtue of ... <sup>203</sup>, establish provisions for child abduction to address cases where children are wrongfully removed or retained across international borders. This includes defining the criteria for child abduction, establishing procedures for reporting and investigating cases, and ensuring that children are returned to their rightful custodians promptly and safely.

The Authority must establish procedures for repatriation of abducted, trafficked or enslaved vulnerable persons to facilitate the return of individuals to their countries of origin or residence. This includes defining the criteria and procedures for repatriation, ensuring that repatriation is conducted in a safe and dignified manner, and providing support and assistance to individuals throughout the repatriation process.

The Authority must establish arrangements for cross-border care to ensure that individuals receive continuous and coordinated care across international borders. This includes defining standards for cross-border care, establishing protocols for communication and coordination between care providers, and ensuring that care is provided in a manner that respects individuals' rights and needs.

The Government / Authority must/may, by virtue of ... <sup>204</sup>, requirements for consular notification to ensure that individuals are informed of their rights and have access to consular assistance when detained or arrested in a foreign country. This includes defining the procedures for consular notification, ensuring that notifications are made promptly, and providing individuals with access to consular services and support.

The Authority must protect victims of abduction, trafficking or slavery by ensuring that they receive appropriate support and assistance in recovering from their experiences. This includes providing access to shelter, medical care, counseling, and other support services, as well as ensuring that victims of trafficking are not punished for crimes committed as a result of their trafficking.

The Government / Authority must/may, by virtue of ... <sup>205</sup>, establish safeguards for international adoption to ensure that adoptions are conducted in the best interests of the child and in accordance with international standards. This includes defining the criteria and procedures for international adoption, ensuring that adoptions are not used as a means of exploitation or trafficking, and providing support and assistance to adoptive families.

The Government / Authority must/may, by virtue of ... <sup>206</sup>, establish bilateral agreements to facilitate cooperation and coordination between countries in addressing cross-border issues. This includes defining the scope and objectives of bilateral agreements, establishing procedures for negotiation and implementation, and ensuring that agreements are enforceable and effective.

The Government / Authority must/may, by virtue of ... <sup>207</sup>, establish mechanisms for regional cooperation to facilitate collaboration and coordination between countries within a region in addressing cross-border issues. This includes creating regional frameworks for information sharing, joint investigations, and coordinated enforcement efforts, as well as promoting regional integration and cooperation.

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<sup>203</sup> Define the appropriate type of regulation.

<sup>204</sup> Define the appropriate type of regulation.

<sup>205</sup> Define the appropriate type of regulation.

<sup>206</sup> Define the appropriate type of regulation.

<sup>207</sup> Define the appropriate type of regulation.

The Government / Authority must/may, by virtue of ...<sup>208</sup>, establish provisions for cultural adaptation to ensure that cross-border protection measures are culturally appropriate and respectful of individuals' cultural backgrounds and values. This includes providing cultural orientation and support, ensuring that cultural practices are respected, and promoting cultural understanding and sensitivity in cross-border protection efforts.

The Authority must consider language barriers in cross-border protection to ensure that individuals have access to interpretation and translation services when needed. This includes providing access to qualified interpreters, ensuring that important documents and information are translated accurately, and promoting effective communication in cross-border protection efforts.

The Authority must provide legal aid for cross-border cases to ensure that individuals have access to legal representation and support in navigating complex cross-border legal issues. This includes providing access to legal aid services, ensuring that legal aid is available to those who cannot afford it, and promoting fairness and justice in cross-border legal proceedings.

The Government / Authority must/may, by virtue of ...<sup>209</sup>, establish provisions on the recognition of foreign documents to ensure that official documents issued in one jurisdiction are accepted and recognised in another. This includes establishing procedures for the recognition and authentication of foreign documents, ensuring that documents are not unfairly rejected or discounted, and promoting international cooperation and recognition.

The Government / Authority must/may, by virtue of ...<sup>210</sup>, establish requirements for authentication to ensure that documents and information exchanged across borders are genuine and reliable. This includes defining the procedures for authentication, establishing standards for authenticating documents, and ensuring that authentication is conducted in a manner that promotes trust and reliability.

The Authority must provide translation services to ensure that vulnerable individuals and individuals with special needs have access to accurate and reliable translations of documents and information. This includes defining the standards and procedures for translation, ensuring that translations are conducted by qualified professionals, and promoting effective communication and understanding in cross-border protection efforts.

The Authority must facilitate international cooperation through a cross-jurisdictional vulnerability alert system. This includes establishing a system for sharing alerts and information about vulnerable individuals across borders, ensuring that alerts are acted upon promptly and effectively, and promoting international cooperation and protection.

The Authority must ensure continuity of protection through mutual recognition of vulnerability status across borders. This includes establishing procedures for recognising and respecting vulnerability status determinations made in other jurisdictions, ensuring that individuals receive consistent and continuous protection, and promoting international cooperation and coordination.

The Authority must ensure culturally appropriate support through cultural mediation requirements in cross-border cases. This includes providing access to cultural mediators, ensuring that cultural practices and values are respected, and promoting cultural understanding and sensitivity in cross-border protection efforts.

The Authority must enable remote support through remote case management standards in international cases. This includes establishing standards and procedures for remote case management, ensuring that remote support is provided effectively and efficiently, and promoting the use of technology in facilitating cross-border protection and support.

The Authority must protect vulnerable individuals during extradition through vulnerability-specific provisions in extradition agreements. This includes defining the criteria and procedures for protecting vulnerable individuals, ensuring that extradition is conducted in a manner that respects individuals' rights and needs, and promoting international cooperation and protection.

The Authority must facilitate timely support through expedited documentation for vulnerable migrants. This includes establishing procedures for expediting the processing and issuance of documentation, ensuring that

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<sup>208</sup> Define the appropriate type of regulation.

<sup>209</sup> Define the appropriate type of regulation.

<sup>210</sup> Define the appropriate type of regulation.

vulnerable migrants receive the documentation they need promptly and efficiently, and promoting the use of expedited documentation in facilitating safe and efficient migration.

The Authority must ensure continuity of care through cross-border healthcare continuity guarantees. This includes establishing procedures for coordinating and continuing healthcare across borders, ensuring that individuals receive uninterrupted and consistent care, and promoting international cooperation and coordination in healthcare provision.

The Authority must enable remote participation in legal proceedings through virtual court appearance accommodations for cross-border cases. This includes establishing procedures and standards for virtual court appearances, ensuring that individuals have access to the technology and support they need to participate remotely, and promoting the use of virtual court appearances in facilitating cross-border legal proceedings.

The Authority must establish cross-border data sharing protocols with enhanced privacy protections to ensure that data is shared securely and responsibly across borders. This includes defining the standards and procedures for data sharing, ensuring that data is protected from unauthorised access and misuse, and promoting international cooperation and coordination in data sharing and protection.

## Y. Funding and Resources

N.B.: Previous chapters contain specific provisions on funding and resources that can become redundant if some of the following provisions are selected.

The Government / Authority must/may, by virtue of ... <sup>211</sup>, establish budget allocation requirements to ensure that financial resources are distributed effectively and efficiently across programs and initiatives. This includes defining budget categories, setting allocation priorities, and establishing procedures for budget review and adjustment.

The Government / Authority must/may, by virtue of ... <sup>212</sup>, establish a disability fund to cover expenses related to disability support, services, and accommodations. This fund must be dedicated to financing programs and initiatives that enhance the quality of life for individuals with disabilities, including assistive technologies, accessible infrastructure, and support services.

The Government / Authority must/may, by virtue of ... <sup>213</sup>, establish an elderly welfare fund to support the well-being and care of elderly individuals. This fund must be used to finance programs and services that address the unique needs of the elderly population, including healthcare, social support, and community engagement initiatives.

The Government / Authority must/may, by virtue of ... <sup>214</sup>, establish a child protection fund to ensure that resources are available to protect and support vulnerable children. This fund must be used to finance child protection services, educational programs, healthcare, and other initiatives aimed at promoting the welfare and safety of children.

The Government / Authority must/may, by virtue of ... <sup>215</sup>, establish rules for fund administration to ensure that funds are managed transparently, efficiently, and in accordance with legal and financial standards. This includes defining roles and responsibilities, establishing procedures for fund disbursement and monitoring, and ensuring accountability in fund management.

The Government / Authority must/may, by virtue of ... <sup>216</sup>, establish financial management requirements to ensure that financial resources are used responsibly and effectively. This includes setting standards for

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budgeting, financial reporting, and internal controls, as well as conducting regular financial audits and reviews.

The Government / Authority must/may, by virtue of ... <sup>217</sup>, establish provisions for auditing to ensure that financial management practices are transparent, accurate, and compliant with legal and regulatory requirements. This includes conducting regular audits of financial statements, assessing the effectiveness of internal controls, and ensuring that audit findings are addressed promptly and effectively.

The Authority must identify international funding sources to secure additional financial resources for programs and initiatives. This includes exploring opportunities for grants, loans, and other forms of international financial assistance, as well as establishing partnerships with international organisations and donors.

The Authority must encourage private sector contributions to support funding for public programs and initiatives. This includes promoting corporate social responsibility, establishing incentives for private sector engagement, and facilitating partnerships between the public and private sectors.

The Authority must link funding to corporate social responsibility to ensure that businesses contribute to social and environmental initiatives. This includes establishing requirements for corporate social responsibility reporting, promoting corporate philanthropy, and recognising businesses that demonstrate a commitment to social responsibility.

The Government / Authority must/may, by virtue of ... <sup>218</sup>, establish frameworks for public-private partnerships to facilitate collaboration between the public and private sectors in funding and implementing programs and initiatives. This includes defining roles and responsibilities, establishing procedures for partnership formation and management, and ensuring that partnerships are transparent, accountable, and effective.

The Authority must establish strategies for resource mobilization to ensure that adequate financial resources are available to support programs and initiatives. This includes identifying potential funding sources, developing fundraising campaigns, and promoting innovative financing mechanisms.

The Government / Authority must/may, by virtue of ... <sup>219</sup>, establish mechanisms for cost-sharing to ensure that the financial burden of programs and initiatives is distributed equitably among stakeholders. This includes defining cost-sharing arrangements, establishing procedures for cost allocation, and ensuring that cost-sharing is transparent and fair.

The Government / Authority must/may, by virtue of ... <sup>220</sup>, establish regulations for user fees to ensure that fees for services are set at appropriate levels and used to support the sustainability of programs and initiatives. This includes defining fee structures, establishing procedures for fee collection and exemption, and ensuring that user fees are transparent and equitable.

The Government / Authority must/may, by virtue of ... <sup>221</sup>, establish provisions for fee exemptions to ensure that individuals who cannot afford to pay for services are not excluded from accessing them. This includes defining eligibility criteria for fee exemptions, establishing procedures for applying for and granting exemptions, and ensuring that fee exemptions are administered fairly and consistently.

The Government / Authority must/may, by virtue of ... <sup>222</sup>, means-tested contribution requirements to ensure that individuals contribute to the cost of services based on their ability to pay. This includes defining income and asset thresholds for contributions, establishing procedures for assessing ability to pay, and ensuring that contributions are fair and equitable.

The Government / Authority must/may, by virtue of ... <sup>223</sup>, establish formulas for resource allocation to ensure that financial resources are distributed in a manner that reflects the needs and priorities of programs and

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initiatives. This includes defining allocation criteria, establishing procedures for resource allocation, and ensuring that resource allocation is transparent and evidence-based.

The Authority must establish mechanisms for setting priorities to ensure that financial resources are allocated to the most critical and effective programs and initiatives. This includes defining priority-setting criteria, establishing procedures for priority assessment and ranking, and ensuring that priority-setting is transparent and inclusive.

The Government / Authority must/may, by virtue of ... <sup>224</sup>, establish provisions for emergency funding to ensure that financial resources are available to respond to urgent and unforeseen needs. This includes defining eligibility criteria for emergency funding, establishing procedures for accessing and disbursing funds, and ensuring that emergency funding is administered promptly and effectively.

The Government / Authority must/may, by virtue of ... <sup>225</sup>, establish requirements for sustainability to ensure that programs and initiatives are designed and implemented in a manner that promotes long-term viability and impact. This includes defining sustainability criteria, establishing procedures for sustainability planning and monitoring, and ensuring that sustainability is integrated into all aspects of program and initiative design and implementation.

The Government / Authority must/may, by virtue of ... <sup>226</sup>, establish obligations for financial reporting to ensure that financial information is accurate, transparent, and readily available to stakeholders. This includes defining reporting standards, establishing procedures for financial reporting, and ensuring that financial reports are prepared and disseminated in a timely and consistent manner.

The Authority must establish measures for efficiency control to ensure that financial resources are used effectively and that programs and initiatives achieve their intended outcomes. This includes defining efficiency criteria, establishing procedures for efficiency monitoring and evaluation, and ensuring that efficiency improvements are implemented as needed.

The Authority must assess value for money to ensure that financial resources are used in a manner that maximises benefits and minimizes costs. This includes conducting cost-benefit analyses, assessing the effectiveness and efficiency of programs and initiatives, and ensuring that resources are allocated to initiatives that deliver the greatest value.

The Government / Authority must/may, by virtue of ... <sup>227</sup>, establish requirements for cost-benefit analysis to ensure that financial decisions are based on a thorough evaluation of costs and benefits. This includes defining cost-benefit analysis criteria, establishing procedures for conducting analyses, and ensuring that cost-benefit analysis informs financial decision-making.

The Government / Authority must/may, by virtue of ... <sup>228</sup>, establish innovative funding mechanisms through social impact bond frameworks for vulnerability programs. This includes defining the structure and terms of social impact bonds, establishing procedures for issuing and managing bonds, and ensuring that bond proceeds are used to support effective and impactful vulnerability programs.

The Government / Authority must/may, by virtue of ... <sup>229</sup>, link corporate vulnerability fund contributions to tax benefits to encourage corporate contributions to vulnerability programs. This includes establishing tax incentives for corporate contributions, defining eligibility criteria for tax benefits, and ensuring that tax benefits are administered fairly and transparently.

The Government / Authority must/may, by virtue of ... <sup>230</sup>, ensure comprehensive funding through vulnerability budgeting across all government departments. This includes defining budget categories for vulnerability programs, establishing procedures for budget allocation and monitoring, and ensuring that vulnerability budgeting is integrated into overall government budgeting processes.

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The Government / Authority must/may, by virtue of ...<sup>231</sup>, ensure local flexibility with central oversight through decentralized funding with central quality control. This includes defining roles and responsibilities for central and local authorities, establishing procedures for fund disbursement and monitoring, and ensuring that decentralized funding is administered in a manner that promotes local autonomy and innovation while maintaining central quality standards.

The Government / Authority must/may, by virtue of ...<sup>232</sup>, ensure coordinated funding through pooled funding mechanisms across agencies. This includes defining pooled funding criteria, establishing procedures for fund allocation and management, and ensuring that pooled funding is used to support collaborative and integrated programs and initiatives.

The Authority must ensure effective use of funds through outcome-based commissioning models. This includes defining outcome-based commissioning criteria, establishing procedures for commissioning and monitoring, and ensuring that commissioned services and programs deliver measurable and meaningful outcomes.

The Authority must ensure sustainability through long-term funding cycles for vulnerability programs. This includes defining funding cycle lengths, establishing procedures for fund allocation and renewal, and ensuring that long-term funding supports the ongoing implementation and impact of vulnerability programs.

The Authority must support innovative solutions through technology innovation funds earmarked for vulnerability solutions. This includes defining fund allocation criteria, establishing procedures for fund disbursement and management, and ensuring that technology innovation funds are used to support the development and implementation of innovative vulnerability solutions.

The Authority must establish crisis-resistant funding guarantees with trigger mechanisms to ensure that financial resources are available to respond to crises and emergencies. This includes defining trigger criteria for funding activation, establishing procedures for fund disbursement and management, and ensuring that crisis-resistant funding is administered promptly and effectively in response to crises and emergencies.

## **Z: Research and Innovation Framework**

The Authority must mandate the inclusion of vulnerable populations in research to ensure their representation and participation. This involves requiring researchers to include individuals from vulnerable groups in their studies, ensuring that research questions and methodologies are relevant to their needs, and promoting the active engagement of vulnerable populations in the research process.

The Authority must provide vulnerability-focused innovation incentives to encourage the development of solutions that address the unique challenges faced by vulnerable populations. This includes offering financial incentives, grants, and other forms of support to researchers and innovators who focus on vulnerability-related issues, and promoting the commercialization and scaling of innovative solutions.

The Authority must establish ethical guidelines for research involving vulnerable persons to ensure that research is conducted responsibly and with respect for the rights and dignity of participants. This includes defining ethical standards for recruitment, consent, data collection, and reporting, as well as establishing oversight mechanisms to monitor and enforce compliance with ethical guidelines.

The Authority must require co-production in vulnerability research to ensure that stakeholders, including individuals from vulnerable populations, are actively involved in the research process. This involves collaborating with stakeholders in the design, implementation, and evaluation of research, incorporating their perspectives and expertise, and promoting shared decision-making and ownership of research outcomes.

The Authority must ensure research priority-setting with vulnerability representation to ensure that research focuses on issues that are relevant and important to vulnerable populations. This involves including representatives from vulnerable groups in priority-setting processes, considering the impact of research on vulnerable populations, and promoting research that addresses the unique needs and challenges of these groups.

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The Authority must earmark applied research funding for vulnerability solutions to ensure that practical and implementable solutions are developed to address the challenges faced by vulnerable populations. This includes allocating dedicated funding for applied research, promoting collaboration between researchers and practitioners, and supporting the translation of research findings into real-world applications.

The Authority must establish rapid knowledge-to-practice pathways for vulnerability findings to ensure that research findings are quickly and effectively translated into practical solutions. This involves creating mechanisms for the rapid dissemination and implementation of research findings, promoting collaboration between researchers and practitioners, and supporting the scaling and sustainability of innovative solutions.

The Authority must require cross-disability and cross-vulnerability research to ensure that research is comprehensive and addresses the diverse needs and experiences of individuals with different disabilities and vulnerabilities. This involves promoting interdisciplinary research, encouraging collaboration between researchers focusing on different vulnerabilities, and supporting research that addresses the intersections between different forms of vulnerability.

The Authority must establish a research registry with vulnerability impact classification to ensure transparency and accountability in research related to vulnerable populations. This involves creating a registry of research studies that includes information on the impact of research on vulnerable populations, classifying studies based on their relevance and potential impact, and promoting the sharing and utilization of research findings to inform policy and practice.

## AA. Transitional and Procedural Provisions

The Government / Authority must/may, by virtue of ...<sup>233</sup>, encourage regulatory experimentation by establishing experimental regulatory zones for innovation. These zones must allow for the testing of new regulatory approaches and innovations in a controlled environment, enabling regulators and stakeholders to assess their effectiveness and potential for broader implementation. This involves defining the scope and parameters of regulatory experiments, monitoring their progress, and evaluating their outcomes to inform regulatory policy and practice.

The Government / Authority must/may, by virtue of ...<sup>234</sup>, ensure timely review through the use of sunset provisions coupled with vulnerability impact evaluations. This involves setting specific timeframes for the review and potential expiration of regulations, assessing their impact on vulnerable populations, and determining whether they should be renewed, modified, or allowed to expire. This process must ensure that regulations remain relevant, effective, and responsive to the needs of vulnerable populations.

The Government / Authority must/may, by virtue of ...<sup>235</sup>, establish simplified legal language requirements to ensure that all legal documents and communications are accessible and easily understood by the general public, including individuals with disabilities or special needs. This includes using plain language, avoiding legal jargon, and providing clear and concise explanations of legal rights, obligations, and procedures.

The Authority must require vulnerability impact statements for all legislation to ensure that the potential effects of new laws on vulnerable populations are considered and addressed. This involves conducting impact assessments, documenting the expected impacts on vulnerable groups, and incorporating measures to mitigate any negative effects. These statements must be made publicly available to promote transparency and accountability.

The Authority must establish collaborative governance structures for implementation to ensure that all relevant stakeholders are actively involved in the governance and implementation of policies and regulations. This involves creating mechanisms for stakeholder engagement, fostering collaboration between government agencies, civil society, and the private sector, and promoting shared decision-making and responsibility.

The Authority must establish multi-stakeholder review councils to ensure that governance structures are inclusive and representative of diverse interests and perspectives. These councils must have the authority to

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suggest decisions, review policies and regulations, and provide recommendations for improvement. They must include representatives from various stakeholder groups, including vulnerable populations, and must operate in a transparent and accountable manner.

The Authority must establish built-in policy learning mechanisms to ensure that policies and regulations are continuously evaluated, improved, and adapted based on evidence and feedback. This involves incorporating feedback loops, conducting regular policy evaluations, and using the results of these evaluations to inform policy development and implementation.

## **AB. Final Provisions / Miscellaneous**

See Chapter Q. of these [Cross-sectoral Standard Provisions for Regulation](#).