

Child Care Act 1972

REPRINT No. 4

Consolidated to 13 November 1997

Contents

Part I—Preliminary	1
1	Short title [<i>see</i> Note 1].....1
2	Commencement [<i>see</i> Note 1].....1
4	Interpretation.....1
4A	Child care centres.....2
4B	Eligible child care centres.....2
4C	Guidelines for eligible child care centres.....3
Part II—Capital Grants	4
Division 1—Approved Projects	4
5	Interpretation of Division 1.....4
6	Approval of projects.....5
7	Grants for approved projects.....5
Division 2—Approved Equipment	6
8	Interpretation of Division 2.....6
9	Approval of equipment.....6
10	Grants for approved equipment.....6
Part III—Recurrent Grants	7
12	Grants in relation to establishment of new eligible child care centres.....7
12A	Grants for fee relief.....7
12B	Provision of a persons’s tax file number.....8
12C	Provision of partner’s tax file number.....10
12D	Social Security Secretary may request person who would benefit from fee relief to give statement of person’s tax file number.....11
12E	Social Security Secretary may request person who would benefit from fee relief to give statement of partner’s tax file number.....12
Part IV—Research Grants	14
13	Grants for research etc.14
Part IVA—Grants in Respect of the Development of Child Care Centres	15
13A	Interpretation.....15
13B	Approval of projects related to the development of child care centres.....15
13C	Grants for projects related to the development of child care centres.....15
Part V—Advisory Committees	16

Division 1—Establishment of Committees	16
14 Child Care Standards Committee	16
15 Convenor of Child Care Standards Committee	16
16 Other committees	16
Division 2—General	17
17 Definition of <i>committee</i>	17
18 Appointment of members of committees	17
19 Remuneration and allowances of members of committees	17
Part VI—Miscellaneous	18
20 Conditions relating to grants	18
20A Agreements may be entered into with transferees of land etc.	19
20B Overpayments	19
21 Delegation.....	20
22 Approvals and determinations to be in writing	20
22A Exercise of powers in Minister’s discretion	20
23 Manner of payment of grants	20
24 Money to be appropriated	20
25 Regulations	20

An Act to provide for assistance by the Commonwealth in respect of places where children all or the majority of whom are under school age may be cared for, in respect of the development of such places and in respect of research in connection with the care of children, and for related purposes

Part I—Preliminary

1 Short title *[see Note 1]*

This Act may be cited as the *Child Care Act 1972*.

2 Commencement *[see Note 1]*

This Act shall come into operation on the day on which it receives the Royal Assent.

4 Interpretation

- (1) In this Act, unless the contrary intention appears:

approved child care service means:

- (a) an eligible child care centre; or
- (b) any other child care service, the operator of which receives from the Commonwealth a grant of a similar kind to grants made under section 12A.

body includes an association and society.

building includes a part of a building and an addition to a building and, in Part VI, includes any other improvement on land.

child care means the care of children at a time or times when they are not being cared for in their own homes or in the homes of other persons.

child care centre has the meaning given by section 4A.

Child Care Standards Committee means the committee established under section 14.

eligible child care centre has the meaning given by section 4B.

fee relief beneficiary, in relation to a child who is receiving child care at an approved child care service, means a person who, if a grant were made to the operator of the service to enable the operator to allow fee relief for the child, would benefit from the fee relief.

home does not include an orphanage or like institution.

Section 4A

operator, in relation to an eligible child care centre, means the person or body operating, or proposing to operate, the centre.

partner has the same meaning as in the *Social Security Act 1991*.

place includes a proposed place.

quarter means a period of 3 months beginning on 1 January, 1 April, 1 July or 1 October in any year.

Social Security Secretary means the Secretary to the Department of Social Security.

4A Child care centres

- (1) Subject to subsection (2), a child care centre is a place:
 - (a) that provides, or proposes to provide, child care for children:
 - (i) all of whom are residing in their own homes; and
 - (ii) all or the majority of whom are of pre-school age; and
 - (iii) all or the majority of whom attend the place on a regular basis; and
 - (b) in relation to which either of the following subparagraphs applies:
 - (i) the place provides, or proposes to provide, that child care:
 - (A) for not less than 8 hours on each normal working day; and
 - (B) on all normal working days in not less than 48 weeks in the year;
 - (ii) the place is a place that the Minister determines should be treated as a child care centre for the purposes of this Act.
- (2) For the purposes of Part IVA, a place is a child care centre whether or not all or the majority of the children for whom child care is provided at the place attend the place on a regular basis.

4B Eligible child care centres

- (1) For the purposes of this Act (other than section 12A), a child care centre is an eligible child care centre if:
 - (a) the centre is operated, or proposed to be operated, by:
 - (i) a body corporate, other than:

- (A) a body corporate that is carried on for the purpose of profit or gain; or
 - (B) a Commonwealth, State or Territory authority; or
 - (ii) the Australian Capital Territory; or
 - (iii) a local governing body established by or under State or Territory law; or
 - (iv) the trustees of a trust established for charitable or benevolent purposes; or
 - (v) the trustees of a trust established by a person or body mentioned in subparagraph (i), (ii), (iii) or (iv); or
 - (vi) an unincorporated body (other than an unincorporated body that is carried on for the purpose of profit or gain) approved by the Minister for the purposes of this subparagraph; and
- (b) the Minister determines that the centre is an eligible child care centre for the purposes of this Act (other than section 12A).
- (2) For the purposes of section 12A, a child care centre is an eligible child care centre if the Minister determines that the centre is an eligible child care centre for the purposes of that section.

4C Guidelines for eligible child care centres

- (1) The Minister may make guidelines, not inconsistent with this Act, with respect to the exercise of any of the Minister's powers under section 4B.
- (2) A guideline is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.

Part II—Capital Grants

Division 1—Approved Projects

5 Interpretation of Division 1

- (1) In this Division, unless the contrary intention appears:
- alteration*, in relation to a building or other improvement on land, includes an addition to the building or improvement.
- approved project* means the purchase or proposed purchase of land, or the construction or alteration or proposed construction or alteration of a building or other improvement on land, approved under section 6.
- capital cost*, in relation to an approved project, means:
- (a) where the approved project is the purchase or proposed purchase of land, the sum of:
 - (i) such amount in respect of the land, not including any buildings or other improvements on the land, as the Minister determines;
 - (ii) such amount in respect of any buildings or other improvements on the land (being buildings or improvements that the Minister is satisfied are used, or are to be used, for or in connexion with an eligible child care centre) as the Minister considers represents that part of the cost of purchasing the land that is attributable to those buildings or improvements; and
 - (iii) such amount as the Minister is satisfied is the cost of making any alterations to any building or other improvements on the land that the Minister is satisfied are necessary for or in connexion with the provision of an eligible child care centre; or
 - (b) where the approved project is the construction or alteration of a building or other improvement on land, such amount as the Minister is satisfied is the cost of constructing or altering the building or other improvement.
- (2) For the purposes of this Division, the cost of constructing, altering or adding to a building includes the cost of installing such fixtures (including the cost of the fixtures) as the Minister approves.

6 Approval of projects

- (1) Subject to this section, where the Minister is satisfied that:
 - (a) the operator of an eligible child care centre:
 - (i) has purchased, or proposes to purchase, any land, including land on which buildings or other improvements are constructed; or
 - (ii) has constructed or altered, or proposes to construct or alter, a building or any other improvement on any land; and
 - (b) the land purchased or proposed to be purchased, or the building or improvement constructed or altered or proposed to be constructed or altered, is used, or is to be used, permanently by the operator in relation to the centre;the Minister may approve, for the purposes of this Division, the purchase or proposed purchase or the construction or alteration or the proposed construction or alteration, as the case may be.

7 Grants for approved projects

- (1) The Minister may, on behalf of the Commonwealth, approve the making of a grant to the operator of an eligible child care centre of an amount not exceeding the capital cost of an approved project.

Division 2—Approved Equipment

8 Interpretation of Division 2

In this Division, unless the contrary intention appears:

acquisition includes acquisition by way of exchange or purchase or by way of taking on lease, on hire, on hire-purchase or on lease and purchase.

approved equipment means equipment approved under section 9 or equipment included in a class of equipment approved under that section.

cost, in relation to the acquisition by the operator of an eligible child care centre of approved equipment, means the sum of the amounts that the Minister is satisfied is the cost of acquiring the equipment and such amount (if any) in respect of altering, adding to or installing the equipment as the Minister determines.

9 Approval of equipment

The Minister may approve equipment or classes of equipment for the purposes of this Division.

10 Grants for approved equipment

The Minister may, on behalf of the Commonwealth, approve the making of a grant to the operator of an eligible child care centre of an amount not exceeding the cost of the acquisition by the operator of approved equipment.

Part III—Recurrent Grants

12 Grants in relation to establishment of new eligible child care centres

- (1) Where, at any time during the 6 weeks immediately before an eligible child care centre first begins to provide child care, a person is employed by the operator of the centre to establish it, the Minister may, on behalf of the Commonwealth, approve the making of a grant to the operator of an amount not exceeding the amount of the salary or wages paid to the person in respect of that period by the operator.
- (2) The Minister may authorize the payment to the operator of an eligible child care centre of an advance or advances in respect of a grant that may become payable to the operator under subsection (1).
- (3) In this section *salary or wages* in relation to a person referred to in subsection (1), means salary or wages at the rate fixed by an award, order, determination or agreement made, or having effect under, a law of the Commonwealth, of a State or of a Territory, or if no such rate is applicable, the rate of salary or wages determined by the Minister.

12A Grants for fee relief

- (1) The Minister may, at any time, by writing signed by the Minister:
 - (a) specify guidelines to be observed:
 - (i) in identifying children receiving child care at an eligible child care centre as children in economic need; and
 - (ii) in calculating the maximum amount payable under this section in relation to a particular period of time to the operator of an eligible child care centre;
 - (b) vary guidelines specified by the Minister under this subsection (including guidelines varied by virtue of a previous application or previous applications of this paragraph); and
 - (c) revoke guidelines specified by the Minister under this subsection (including guidelines varied by virtue of a

Section 12B

previous application or previous applications of paragraph (b)).

- (2) Where the operator of an eligible child care centre provides child care for a child who is identified as a child in economic need, the Minister may, on behalf of the Commonwealth, approve the making of a grant to the operator to enable the operator to allow fee relief for the child in relation to a particular period.
- (3) A guideline is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.

12B Provision of a persons's tax file number

- (1) The operator of an approved child care service may not allow fee relief for a child, to a person who is a fee relief beneficiary in relation to the child, from a grant if:
 - (a) the person is requested under section 12D to:
 - (i) give the Social Security Secretary a written statement of the person's tax file number; or
 - (ii) apply for a tax file number and give the Social Security Secretary a written statement of the person's tax file number once it has been issued; and
 - (b) the person has neither:
 - (i) given the Social Security Secretary a written statement of the person's tax file number; nor
 - (ii) given the Social Security Secretary a declaration by the person in a form approved by the Social Security Secretary and satisfied either subsection (3) or (4).
- (2) If a person who is a fee relief beneficiary in relation to a child is requested under section 12D to:
 - (a) give the Social Security Secretary a written statement of the person's tax file number; or
 - (b) apply for a tax file number and give the Social Security Secretary a written statement of the person's tax file number once it has been issued;the person is not to be given an assessment of entitlement to fee relief for the child if the person has neither:
 - (c) given the Social Security Secretary a written statement of the person's tax file number; nor

- (d) given the Social Security Secretary a declaration by the person in a form approved by the Social Security Secretary and satisfied either subsection (3) or (4).
- (3) A person satisfies this subsection if:
- (a) the person's declaration states that the person:
 - (i) has a tax file number but does not know what it is; and
 - (ii) has asked the Commissioner of Taxation to inform the person of the person's tax file number; and
 - (b) the person has given the Social Security Secretary a document by the person that authorises the Commissioner of Taxation to tell the Social Security Secretary:
 - (i) whether the person has a tax file number; and
 - (ii) if the person has a tax file number—the tax file number; and
 - (c) the Commissioner of Taxation had not told the Social Security Secretary that the person has no tax file number.
- (4) A person satisfies this subsection if:
- (a) the person's declaration states that the person has applied for a tax file number; and
 - (b) the person has given the Social Security Secretary a document by the person that authorises the Commissioner of Taxation to tell the Social Security Secretary:
 - (i) if the tax file number is issued to the person—the tax file number; or
 - (ii) if the application is refused—that the application has been refused; or
 - (iii) if the application is withdrawn—that the application has been withdrawn; and
 - (c) the Commissioner of Taxation has not told the Social Security Secretary that the person has not applied for a tax file number; and
 - (d) the Commissioner of Taxation has not told the Social Security Secretary that an application by the person for a tax file number has been refused; and
 - (e) the application for a tax file number has not been withdrawn.

Section 12C

12C Provision of partner's tax file number

- (1) Subject to subsection (5), the operator of an approved child care service may not allow fee relief for a child, to a person who is a fee relief beneficiary in relation to the child, from a grant if:
 - (a) the person is a member of a couple; and
 - (b) the person is requested under section 12E to give the Social Security Secretary a written statement of the tax file number of the person's partner; and
 - (c) the person has neither:
 - (i) given the Social Security Secretary a written statement of the partner's tax file number; nor
 - (ii) given the Social Security Secretary a declaration by the partner in a form approved by the Social Security Secretary and satisfied either subsection (3) or (4).
- (2) If a person who is a fee relief beneficiary in relation to a child is requested under section 12D to give the Social Security Secretary a written statement of the tax file number of the person's partner, the person is not to be given an assessment of entitlement to fee relief for the child if the person has neither:
 - (a) given the Social Security Secretary a written statement of the partner's tax file number; nor
 - (b) given the Social Security Secretary a declaration by the partner in a form approved by the Social Security Secretary and satisfied either subsection (3) or (4).
- (3) A person satisfies this subsection if:
 - (a) the partner's declaration states that the partner:
 - (i) has a tax file number but does not know what it is; and
 - (ii) has asked the Commissioner of Taxation to inform the partner of the partner's tax file number; and
 - (b) the person has given the Social Security Secretary a document by the partner that authorises the Commissioner of Taxation to tell the Social Security Secretary:
 - (i) whether the partner has a tax file number; and
 - (ii) if the partner has a tax file number—the tax file number; and
 - (c) the Commissioner of Taxation has not told the Social Security Secretary that the partner has no tax file number.

- (4) A person satisfies this subsection if:
- (a) the partner's declaration states that an application by the partner for a tax file number is pending; and
 - (b) the person has given the Social Security Secretary a document by the partner that authorises the Commissioner of Taxation to tell the Social Security Secretary:
 - (i) if the tax file number is issued to the partner—the tax file number; or
 - (ii) if the application is refused—that the application has been refused; or
 - (iii) if the application is withdrawn—that the application has been withdrawn; and
 - (c) the Commissioner of Taxation has not told the Social Security Secretary that an application by the partner for a tax file number has been refused; and
 - (d) the application for a tax file number has not been withdrawn.
- (5) The Social Security Secretary may waive the request for a statement of the partner's tax file number if the Social Security Secretary is satisfied that:
- (a) the person does not know the partner's tax file number; and
 - (b) the person can obtain none of the following from the partner:
 - (i) the partner's tax file number;
 - (ii) a statement of the partner's tax file number;
 - (iii) a declaration by the partner under subparagraph (1)(c)(ii).

12D Social Security Secretary may request person who would benefit from fee relief to give statement of person's tax file number

- (1) If a person who is a fee relief beneficiary is in Australia, the Social Security Secretary may request but not compel the person:
- (a) if the person has a tax file number—to give the Social Security Secretary a written statement of the person's tax file number; or
 - (b) if the person does not have a tax file number:
 - (i) to apply to the Commissioner of Taxation for a tax file number; and

Section 12E

- (ii) to give the Social Security Secretary a written statement of the person's tax file number after the Commissioner of Taxation has issued it.
- (2) A grant is not to be made to the operator of an approved child care service to enable the operator to allow fee relief for a child if:
 - (a) a person who is a fee relief beneficiary in relation to the child has failed to satisfy a request made under subsection (1); and
 - (b) the Social Security Secretary has not exempted the person from having to satisfy the request.
- (3) A person who is a fee relief beneficiary in relation to a child is not to be given an assessment of entitlement to fee relief for the child if:
 - (a) the person has failed to satisfy a request made under subsection (1); and
 - (b) the Social Security Secretary has not exempted the person from having to satisfy the request.

Note: In some cases the request can be satisfied by giving the Social Security Secretary a declaration by the person about the person's tax file number and an authority by the person to the Commissioner of Taxation to give the Social Security Secretary certain information about the person's tax file number (see subsections 12B(3) and (4)).

12E Social Security Secretary may request person who would benefit from fee relief to give statement of partner's tax file number

- (1) If:
 - (a) a person who is a fee relief beneficiary is a member of a couple; and
 - (b) the person's partner is in Australia;the Social Security Secretary may request but not compel the person to give the Social Security Secretary a written statement of the tax file number of the person's partner.
- (2) A grant is not to be made to the operator of an approved child care service to enable the operator to allow fee relief for a child if:
 - (a) a person who is a fee relief beneficiary in relation to the child has failed to satisfy a request made under subsection (1); and
 - (b) the Social Security Secretary has not exempted the person from having to satisfy the request.

- (3) A person who is a fee relief beneficiary in relation to a child is not to be given an assessment of entitlement to fee relief for the child if:
- (a) the person has failed to satisfy a request made under subsection (1); and
 - (b) the Social Security Secretary has not exempted the person from having to satisfy the request.

Note 1: In some cases the request can be satisfied by giving the Social Security Secretary a declaration by the partner about the partner's tax file number and an authority by the partner to the Commissioner of Taxation to give the Social Security Secretary certain information about the partner's tax file number (see subsections 12C(3) and (4)).

Note 2: The Social Security Secretary may waive the request in some cases (see subsection 12C(5)).

Part IV—Research Grants

13 Grants for research etc.

- (1) The Minister may, on behalf of the Commonwealth, approve the making of a grant to any person for purposes of or relating to:
 - (a) research in child care and related matters; and
 - (b) the initiation and development of methods of child care.
- (2) In subsection (1), *child care* includes the care in any circumstances of children.

Part IVA—Grants in Respect of the Development of Child Care Centres

13A Interpretation

In this Part, unless the contrary intention appears:

approved project means a project approved by the Minister under section 13B.

13B Approval of projects related to the development of child care centres

The Minister may approve, for the purposes of this Part, projects for the development of child care centres that are being carried out, or are proposed to be carried out, in a State or Territory.

13C Grants for projects related to the development of child care centres

The Minister may, on behalf of the Commonwealth, approve the making of a grant to a State or Territory, by way of financial assistance to the State or Territory, in respect of approved projects that are, or are proposed to be, carried out in the State or Territory.

Part V—Advisory Committees

Division 1—Establishment of Committees

14 Child Care Standards Committee

- (1) The Minister may establish a committee, to be known as the Child Care Standards Committee, which shall consist of such number of members as the Minister thinks fit.
- (2) The functions of the Committee are:
 - (a) to give advice to the Minister and to the operators of eligible child care centres in relation to standards to be maintained in the construction and equipment of those centres and in the service provided in them; and
 - (b) to give advice to the Minister on any other matter referred to the Committee by the Minister in connexion with the administration of this Act.

15 Convenor of Child Care Standards Committee

The Minister shall appoint one of the members of the Child Care Standards Committee to be Convenor of the Committee.

16 Other committees

In addition to the Child Care Standards Committee, the Minister may establish such other committees as the Minister thinks fit for the purposes of this Act.

Division 2—General

17 Definition of *committee*

In this Division, *committee* means a committee established under this Part.

18 Appointment of members of committees

A member of a committee shall be appointed by the Minister as a part-time member and holds office during the Minister's pleasure.

19 Remuneration and allowances of members of committees

- (1) A member of a committee shall be paid such remuneration as is determined by the Remuneration Tribunal.
- (2) A member of a committee shall be paid such allowances as are prescribed.
- (3) This section has effect subject to the *Remuneration Tribunal Act 1973*.

Part VI—Miscellaneous

20 Conditions relating to grants

- (1) A grant under this Act may be made upon such terms and conditions, not inconsistent with this Act, as the Minister thinks fit.
- (2) Before a grant is made under this Act, the Minister may require the grantee to enter into an agreement with respect to the terms and conditions upon which the grant is to be made.
- (3) An agreement may include provision for:
 - (a) the repayment of the whole or a part of a grant; and
 - (b) the giving of security for:
 - (i) the repayment of the whole or a part of a grant; or
 - (ii) the payment to the Commonwealth of the amount that under the terms and conditions is taken to represent the Commonwealth's interest in:
 - (A) land purchased (with or without buildings); and
 - (B) buildings constructed or altered; and
 - (C) equipment acquired, altered, added to or installed;as a result of the application of a grant or a grant and other money (whether or not that amount is more than the amount of the grant); and
 - (c) the use and disposal of, and the recovery of, the amount that under the terms and conditions is taken to represent the Commonwealth's interest in:
 - (i) land purchased (with or without buildings); and
 - (ii) buildings constructed or altered; and
 - (iii) equipment acquired, altered, added to or installed;as a result of the application of a grant or a grant and other money (whether or not that amount is more than the amount of the grant).
- (5) Where a grant under this Act has, in accordance with this section, been made on terms and conditions, the Minister, with the agreement of the grantee, may, by writing, vary those terms and conditions and, where there is an agreement under subsection (2)

with respect to the terms and conditions so varied, that agreement shall be taken to be varied accordingly.

- (6) In this section, *grant* includes an advance on account of grant under subsection 12(2).

20A Agreements may be entered into with transferees of land etc.

- (1) If:

(a) either of the following subparagraphs applies:

- (i) a grant under Part II has been made to the operator of an eligible child care centre on terms and conditions with respect to any land, building or equipment;
- (ii) the operator of an eligible child care centre has entered into an agreement under this section under which it is required to comply with terms and conditions with respect to any land, building or equipment; and

(b) the operator has transferred, or proposes to transfer, the whole or a part of its interest in the land, building or equipment to another person or body;

the Minister may enter into an agreement with the other person or body under which the other person or body is required to comply, or will, on the transfer being effected, be required to comply, with terms and conditions (whether with respect to the land, building, equipment or otherwise).

- (2) Where an agreement under subsection (1) between the Minister and a person or body is in force, the Minister may vary the agreement with the consent of the person or body.

20B Overpayments

- (1) The payment of an amount to the operator of an eligible child care centre under this Act is, in addition to any conditions imposed under section 20, subject to the condition that if, for any reason, an amount (in this subsection referred to as the *recoverable amount*) has been paid to the operator by way of grant or advance on account of grant under this Act that should not have been paid, the operator will, on demand by the Minister by written notice given to the operator, repay to the Commonwealth the recoverable amount or that part of the recoverable amount specified in the notice.

Section 21

- (2) The Minister may deduct an amount repayable by the operator of an eligible child care centre under subsection (1) or part of such an amount from an amount (including an advance) payable to the operator under this Act.

21 Delegation

- (1) The Minister may, by signed instrument, delegate any or all of the Minister's powers under this Act to a person holding or performing the duties of an office in the Department.
- (5) In subsection (1), a reference to this Act includes a reference to an agreement entered into under this Act.

22 Approvals and determinations to be in writing

An approval or determination under this Act must be made in writing.

22A Exercise of powers in Minister's discretion

Where a provision of this Act provides that the Minister may do a particular act or thing, and the word *may* is used, the act or thing may be done at the Minister's discretion.

23 Manner of payment of grants

A grant under this Act shall be made at such time as is, or by such instalments and at such times as are, determined by agreement between the Minister and the operator of the eligible child care centre concerned or, in the absence of such an agreement, by the Minister.

24 Money to be appropriated

Grants under this Act and advances on account of grants under subsection 12(2) are payable out of money appropriated by the Parliament for the purposes of this Act.

25 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters that are required or permitted by this Act to be prescribed or are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

NOTE
Table of Acts

NOTE

1. The *Child Care Act 1972* as shown in this reprint comprises Act No. 121, 1972 amended as indicated in the Tables below.

The *Child Care Act 1972* was modified by the A.C.T. Self-Government (Consequential Provisions) Regulations (1989 No. 3 as amended). The modifications were repealed by the *Community Services and Health Legislation Amendment Act 1990* (No. 106, 1990)

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Child Care Act 1972</i>	121, 1972	2 Nov 1972	2 Nov 1972	
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10
<i>Administrative Changes (Consequential Provisions) Act 1976</i>	91, 1976	20 Sept 1976	S. 3: (a)	S. 4
<i>Public Service Reform Act 1984</i>	63, 1984	25 June 1984	S. 151(1): 1 July 1984 (see <i>Gazette</i> 1984, No. S245) (b)	S.151(9)
<i>Social Security and Repatriation Legislation Amendment Act 1985</i>	95, 1985	5 Sept 1985	Ss. 13-26 and 28-30: Royal Assent (c) S. 27: 3 Oct 1985 (c)	S. 30
<i>Child Care Amendment Act 1985</i>	158, 1985	11 Dec 1985	1 Apr 1986	S. 7

NOTE
Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Community Services and Health Legislation Amendment Act (No. 2) 1988</i>	155, 1988	26 Dec 1988	S. 10: 1 Jan 1989 Ss. 12 and 13: 1 July 1989 (see <i>Gazette</i> 1989, No. S228) Ss. 14 and 17: 1 July 1988 Ss. 19-26 and 28-34: 24 Jan 1990 (see <i>Gazette</i> 1990, No. S13) Ss. 27 and 36: 15 Mar 1989 (see <i>Gazette</i> 1989, No. S91) Part V (ss. 38-40): 24 June 1988 S. 41(2): 16 Dec 1987 S. 41(3): 6 Nov 1987 S. 41(4): 1 Mar 1989 (see s. 2(8) and <i>Gazette</i> 1989, No. S54) Remainder: Royal Assent	—
<i>Community Services and Health Legislation Amendment Act 1990</i>	106, 1990	18 Dec 1990	S. 3: Royal Assent (d) Ss. 4-11: 1 Jan 1991 (d)	S. 8(2)
<i>Social Security Legislation Amendment (Carer Pension and Other Measures) Act 1995</i>	143, 1995	12 Dec 1995	Schedule 2 (Part 1): 1 Jan 1996 (e)	—
<i>Child Care Legislation Amendment Act 1996</i>	80, 1996	19 Dec 1996	Schedule 1: 1 July 1997 Remainder: Royal Assent	—

- (a) The *Child Care Act 1972* was amended by section 3 only of the *Administrative Changes (Consequential Provisions) Act 1976*, subsection 2(3) of which provides as follows:
- “(3) The amendments of the *Child Care Act 1972* made by this Act shall be deemed to have come into operation on 23 June 1976.”
- (b) The *Child Care Act 1972* was amended by subsection 151(1) only of the *Public Service Reform Act 1984*, subsection 2(4) of which provides as follows:
- “(4) The remaining provisions of this Act shall come into operation on such day as is, or on such respective days as are, fixed by Proclamation.”
- (c) The *Child Care Act 1972* was amended by sections 13-30 only of the *Social Security and Repatriation Legislation Amendment Act 1985*, subsections 2(1) and (2) of which provide as follows:
- “(1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
- “(2) Section 27 shall come into operation on the twenty-eighth day after the day on which this Act receives the Royal Assent.”
- (d) The *Child Care Act 1972* was amended by sections 3-11 only of the *Community Services and Health Legislation Amendment Act 1990*, section 2 of which provides as follows:
- “2. Each provision of this Act commences, or is taken to have commenced, on the day, or at the time, shown by the note in italics at the foot of that provision.”
- (e) The *Child Care Act 1972* was amended by Schedule 2 (Part 1) only of the *Social Security Legislation Amendment (Carer Pension and Other Measures) Act 1995*, subsection 2(3)(a) of which provides as follows:
- “(3) The following provisions commence on 1 January 1996:
- (a) Parts 1 and 3 of Schedule 2;”

NOTE

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Title	rs. No. 95, 1985 am. No. 106, 1990
S. 3	rep. No. 216, 1973
S. 4	am. No. 216, 1973; No. 95, 1985; No. 106, 1990; No. 143, 1995
Ss. 4A-4C	ad. No. 106, 1990
Ss. 5-7	am. No. 95, 1985; No. 106, 1990
Ss. 8, 9	rs. No. 95, 1985 am. No. 106, 1990
S. 10	am. No. 95, 1985; No. 106, 1990
S. 11	am. No. 95, 1985 rs. No. 158, 1985 am. No. 106, 1990 rep. No. 80, 1996
S. 12	rs. No. 95, 1985 am. No. 106, 1990
S. 12A	ad. No. 95, 1985 am. No. 106, 1990
Ss. 12B-12E	ad. No. 143, 1995
S. 13	am. No. 95, 1985; No. 106, 1990
Part IVA	ad. No. 95, 1985 (ss. 13A-13C)
Ss. 13A-13C	ad. No. 95, 1985 am. No. 106, 1990
S. 14	am. No. 95, 1985; No. 106, 1990
S. 15	rs. No. 95, 1985
S. 16	am. No. 95, 1985
S. 18	am. No. 95, 1985
S. 19	rs. No. 95, 1985 am. No. 106, 1990
S. 20	am. Nos. 95 and 158, 1985; No. 106, 1990; No. 80, 1996
S. 20A	ad. No. 95, 1985 rs. No. 106, 1990
S. 20B	ad. No. 158, 1985 am. No. 106, 1990
S. 21	am. No. 216, 1973; No. 91, 1976; No. 63, 1984; No. 95, 1985; No. 155, 1988; No. 106, 1990
Ss. 22-22A	rs. No. 106, 1990
S. 23	am. No. 106, 1990
S. 24	rs. No. 95, 1985 am. No. 158, 1985; No. 80, 1996

