



A New Tax System (Family Assistance) (Child Care Benefit — Individuals who must meet activity requirements) Determination 2006

A New Tax System (Family Assistance) Act 1999

I, MALCOLM THOMAS BROUGH, Minister for Families, Community Services and Indigenous Affairs, make this Determination under subsection 14 (1C) of the *A New Tax System (Family Assistance) Act 1999*.

Dated 26 June 2006

MAL BROUGH

Minister for Families, Community Services and Indigenous Affairs

1 Name of Determination

This Determination is the *A New Tax System (Family Assistance) (Child Care Benefit — Individuals who must meet activity requirements) Determination 2006*.

2 Commencement

This Determination commences on 3 July 2006.

3 Interpretation

(1) In this Determination:

Act means the *A New Tax System (Family Assistance) Act 1999*.

Section 4

annual leave means paid leave from an individual's employment:

- (a) for recreation; and
- (b) for up to and including 25 days in a calendar year, whether or not the leave is taken as a continuous period.

doctor's certificate means a certificate signed by a medical practitioner.

leave on account of illness means leave from an individual's employment because the individual is ill or injured.

parental leave:

- (a) means leave from an individual's employment:
 - (i) for the birth of a child to the individual, or the individual's partner; or
 - (ii) for the adoption of a child by the individual, or the individual's partner; and
 - (b) includes:
 - (i) leave taken in preparation for the birth or adoption; and
 - (ii) leave taken after the birth or adoption to care for the child.
- (2) An expression used in this Determination that is also used in the Act or the *A New Tax System (Family Assistance) (Administration) Act 1999* has the same meaning in this Determination as it has in the Act or the *A New Tax System (Family Assistance) (Administration) Act 1999*.

4 **Classes of individuals who must meet activity requirements**

For subsection 14 (1C) of the Act, the classes of individuals specified in Schedule 1 must meet the activity requirements under section 17A of the Act.

Schedule 1 Classes of individuals who must meet activity requirements

(section 4)

1. Individuals who are actively setting up a business that has not yet started to operate.
2. Individuals who are unemployed and are able to show that they are actively looking for work.
3. Individuals who are undertaking unpaid voluntary work that provides work experience that gives or increases skills which could normally be expected to enhance a person's prospects of obtaining paid employment.
4. Individuals who are on parental leave in relation to a child, except if the period of parental leave already taken by them, together with any period of parental leave taken by their partner, in relation to that child, exceeds a total of 12 months.
5. Individuals who are on annual leave.
6. Individuals who are on leave on account of illness, except if the leave on account of illness already taken by them in relation to the particular illness or injury exceeds a total of 2 years.
7. Individuals who are on long service leave.
8. Individuals who are on paid leave (other than leave mentioned in items 4 to 7) granted under the terms and conditions of their employment.
9. Self-employed individuals who are not working because:
 - (a) they are ill or injured and have obtained a doctor's certificate stating that they are unable to work because of the illness or injury; or
 - (b) they are taking leave that, if they were paid employees, would be of a kind described as annual leave, long service leave or parental leave.