



# A New Tax System (Family Assistance) (Administration) (Exemption from Eligibility Rules—Child Care Services of Specified Classes) Determination 2011 (No. 1)

*A New Tax System (Family Assistance) (Administration) Act 1999*

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I, LISA MARIAN PAUL, Secretary of the Department of Education, Employment and Workplace Relations, make this Determination under paragraph 205(3)(b) of the *A New Tax System (Family Assistance) (Administration) Act 1999*.

Dated 10 October 2011

LISA MARIAN PAUL  
Secretary of the Department of Education, Employment and Workplace Relations

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## **1 Name of Determination**

This Determination is the *A New Tax System (Family Assistance) (Administration) (Exemption from Eligibility Rules—Child Care Services of Specified Classes) Determination 2011 (No. 1)*

## **2 Commencement**

This Determination commences on the day after it is registered.

## **3 Definitions**

In this Determination:

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

*eligibility rules* means the *Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Determination 2000*.

**4 Exemption from eligibility rules**

If section 5 applies to a child care service, the service is exempt from the rules in the eligibility rules specified in sections 6, 7 and 8 of this Determination.

**5 Specified classes**

This section applies to a centre based long day care service, family day care service and outside school hours care service if an application under section 194 of the Act for approval of the service for the purposes of the family assistance law is determined under section 195 of the Act on or after 1 November 2011.

*Note* Under section 194 of the Act, a person who operates or proposes to operate a kind of a child care service specified in that section, including a centre based long day care service, family day care service and outside school hours care service, may apply for approval of the service for the purposes of the family assistance law. Section 195 of the Act specifies when the Secretary must approve, or refuse to approve, a child care service, for the purposes of the family assistance law.

**6 Centre based long day care services**

A centre based long day care service is exempt from the rules in sections 14 and 23 of the eligibility rules.

**7 Family day care services**

A family day care service is exempt from the rules in sections 14A and 23A of the eligibility rules.

**8 Outside school hours care services**

An outside school hours care service is exempt from the rules in sections 14B and 24A of the eligibility rules.