



Child Care (Child Swapping Integrity Measure—Inclusion Support Programme) Amendment Determination 2016

A New Tax System (Family Assistance) Act 1999

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

I, SIMON BIRMINGHAM, Minister for Education and Training, make this Determination under subsection 49(3) of the *A New Tax System (Family Assistance) Act 1999* and subsection 205(1) of the *A New Tax System (Family Assistance) (Administration) Act 1999*.

Dated: 27 April 2016

Simon Birmingham

Minister for Education and Training

1 Name of Determination

This Determination is the *Child Care (Child Swapping Integrity Measure—Inclusion Support Programme) Amendment Determination 2016*.

2 Commencement

This Determination commences on 1 July 2016.

3 Amendments

The *Child Care Benefit (Children in respect of whom no-one is eligible) Determination 2015* and the *Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Determination 2000* are amended as set out in Parts 1 and 2 of the Schedule respectively.

Schedule

Part 1—Amendments to the *Child Care Benefit (Children in respect of whom no-one is eligible) Determination 2015*

1 Section 4

Replace the definition of *eligible ISS child* with:

“*eligible ISP child* means a child in respect of whom an approved family day care service is receiving funding, under a funding agreement entered into under the auspices of the Commonwealth Inclusion Support Programme, of IDF Family Day Care Top Up, as referred to in the *Inclusion Support Programme Guidelines 2016-2017 to 2018-2019* but only where the funding is made in respect of a child who is undergoing assessment for disability, including where the assessment is ongoing or continuous, as described in those Guidelines.”

2 Section 4

Replace the definition of *Inclusion and Professional Support Program Guidelines for 2013-2016* with:

“*Inclusion Support Programme Guidelines 2016-2017 to 2018-2019* means the guidelines of that name made for the Inclusion Support Programme administered by the Department of Education and Training, as published on 11 February 2016.”

3 Section 4

Repeal the definition of *Inclusion Support Subsidy*.

4 Paragraph 8(2)(a)

Replace the paragraph with:

“(a) the child is an eligible disability child or an eligible ISP child; or”.

Part 2—Amendments to the *Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Determination 2000*

5 Section 3

Replace the definition of *eligible ISS child* with:

“*eligible ISP child* has the same meaning as in the *Child Care Benefit (Children in respect of whom no-one is eligible) Determination 2015*.”

6 Section 3

Replace the definition of *Inclusion Support Subsidy* with:

“*Inclusion Support Programme* means the program referred to in item 109 of Part 4 of Schedule 1AB to the *Financial Framework (Supplementary Powers) Regulations 1997*.”

7 Paragraph 10A(3)(b)

Replace “eligible ISS child” with “eligible ISP child”.

8 Note at the end of subsection 10A(3)

Replace the note with:

“*Note:* The documentary evidence mentioned in paragraph (b) could be a copy of information that the service has received regarding funding under the Inclusion Support Programme in relation to the child.”

9 Subsection 10A(7)

Replace the subsection with:

“The service will, within 7 days of being notified that funding under the Inclusion Support Programme is no longer being paid in relation to a child to whom subsection (3) applies, or applied, record that fact and any other relevant information in the register mentioned in subsection (6).”