

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).”