



Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2017

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

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

Dated: 19 February 2017

Simon Birmingham
Minister for Education and Training

1 Name

This Determination is the *Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2017*.

2 Commencement

This Determination commences on 13 March 2017.

3 Authority

This Determination is made under subsection 205(1) of the *A New Tax System (Family Assistance) (Administration) Act 1999*.

4 Application

To avoid doubt, the amendments made by this Determination apply in relation to eligibility for sessions of care that occur on and from commencement.

5 Amendments

The *Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Determination 2000* is amended as set out in Schedule 1.

Schedule 1

1 Section 10A

Replace the note at the end of paragraph 4(j) with:

“*Note:* For the definition of *documentary evidence* for the purposes of this paragraph, see section 8 of the *Child Care Benefit (Children in respect of whom no-one is eligible) Determination 2015*. For example, documentary evidence for the purposes of subparagraph (i) could include a copy of an enrolment form detailing the times that the eligible individual is usually required to study. Where the form does not provide such details, it must be supplemented with additional documentary evidence, such as an official course timetable. Documentary evidence for the purposes of subparagraph (ii) could include an employment contract or a payslip, showing usual hours of work—but where the contract or payslip does not show usual hours of work, a letter signed by the relevant employer is required stating usual hours of work.”

”

2 New section 10AB

After section 10A add:

“10AB Family day care services—additional requirements relating to care provided to a child who is 14 years of age or older, or attends secondary school, but has not yet turned 18

Where the applicant is applying for approval of a family day care service the applicant must undertake to do the following things:

- (1) Where care is provided to a child to whom subsection (9)(2), of the *Child Care Benefit (Children in respect of whom no-one is eligible) Determination 2015* applies, the service will keep a register, in the form approved by the Secretary, of the information or documents listed in subsection (2).
- (2) The information or documents are:
 - (a) all documentary evidence required to be provided to, or held by, the service in relation to the child under section 9 of the *Child Care Benefit (Children in respect of whom no-one is eligible) Determination 2015*; and

Note: For the definition of **documentary evidence** for the purposes of this paragraph see sections 4 and 9 of the *Child Care Benefit (Children in respect of whom no-one is eligible) Determination* 2015.

- (b) the name of the child; and
- (c) the CRN of the child; and
- (d) except where the service is eligible under section 47 of the Family Assistance Act:
 - (i) the name of each individual for whom the child is an FTB child or regular care child; and
 - (ii) the CRN (if any) of each individual for whom the child is an FTB child or regular care child; and
- (e) which of the exemptions are considered to apply; and

Note: the exemptions which may apply are those that are referred to in subsections (9)(2) and (9)(3) of the *Child Care Benefit (Children in respect of whom no-one is eligible) Determination* 2015. These are: the child is an eligibility disability child or an eligible ISP child, the child lives in an area designated remote or very remote, or an individual is required to work during the time the session of care is provided.

- (f) the day that the documentary evidence was provided or became held; and
 - (g) the day on which the service enters the information in the register.
- (3) 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 (1) applies, or applied, record that fact and any other relevant information in the register mentioned in subsection (1).”