



Child Care Benefit (Australian Resident) Guidelines 2017

I, Simon Birmingham, Minister for Education and Training, make this instrument under subsection 8(4) of the *A New Tax System (Family Assistance) Act 1999*.

Dated 18 September 2017

Simon Birmingham
Minister for Education and Training

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1 Name

This instrument is the *Child Care Benefit (Australian Resident) Guidelines 2017*.

2 Commencement and repeal

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 October 2017.	1 October 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.
- (3) This instrument is repealed immediately after the commencement of Schedule 1 to the *Family Assistance Legislation Amendment (Jobs for Families Child Care Package) Act 2017*.

Note: Schedule 1 to the *Family Assistance Legislation Amendment (Jobs for Families Child Care Package) Act 2017* commences on 2 July 2018, see section 2 of that Act.

3 Authority

This instrument is made under the *A New Tax System (Family Assistance) Act 1999*.

4 Matters relevant to determination that an individual is taken to be an Australian resident

- (1) In making a determination under subsection 8(1) of the Family Assistance Act that an individual is taken to be an Australian resident, the Secretary must take into account the following:
- whether the individual has, since arriving in Australia, experienced an event (other than an event mentioned in subsection (2)) that was not reasonably foreseeable, and that has substantially reduced the individual's capacity to pay child care fees; and
 - if so:
 - how long ago that event occurred; and
 - the continuing effect of the event in causing hardship if the individual were not treated as an Australian resident.

Section 3

- (2) However, the Secretary must not take into account the following events:
- (a) currency fluctuations; or
 - (b) increases in child care fees; or
 - (c) a reduction in the individual's available income due to routine or non-essential expenditure.