



Child Care Subsidy Amendment (Coronavirus Response Measures—New South Wales) Minister’s Rules 2021

I, Alan Tudge, Minister for Education and Youth, make the following rules.

Dated 14 July 2021

Alan Tudge
Minister for Education and Youth

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1 Name

This instrument is the *Child Care Subsidy Amendment (Coronavirus Response Measures—New South Wales) Minister’s Rules 2021*.

2 Commencement

- (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
The whole of this instrument	The day after registration.	

Note: This table relates only to the provisions of this instrument as originally made.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 Authority

This instrument is made under subsection 85GB(1) of the *A New Tax System (Family Assistance) Act 1999*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Child Care Subsidy Minister's Rules 2017

1 At the end of subsection 54A(1)

Insert:

Note: For other COVID-19 pandemic-related conditions for when a provider is not required to take reasonable steps under section 201B of the Family Assistance Administration Act, see Schedule 3.

2 After Schedule 2

Insert:

Schedule 3—Temporary Coronavirus Response Measures

Part 1—New South Wales (July 2021 outbreak)

Division 1—Preliminary

1.1 Application

- (1) This Part applies in relation to a service:
 - (a) located in an area to which Part 4 of the Temporary Movement and Gathering Restrictions Order applies; and
 - (b) for the period during which the Temporary Movement and Gathering Restrictions Order is in force in relation to that area.
- (2) For the absence of doubt, subclause (1) prescribes a period for the purposes of paragraph 201B(1A)(b) of the Family Assistance Administration Act.

1.2 Definitions

In this Part:

Temporary Movement and Gathering Restrictions Order means the *Public Health (COVID-19 Temporary Movement and Gathering Restrictions) Order 2021* (NSW) issued under the *Public Health Act 2010* (NSW), as in force from time to time.

Division 2—Exemption from enforcing payment of hourly session fees

1.3 Exemption during COVID-19 outbreak in New South Wales

- (1) For the purposes of paragraph 201B(1A)(a) of the Family Assistance Administration Act, the particular event or circumstance is the outbreak of COVID-19 in New South Wales to which the Temporary Movement and Gathering Restrictions Order relates.

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- (2) For the purposes of paragraph 201B(1A)(c) of the Family Assistance Administration Act, it is a condition that the service is not closed.