



Child Care Subsidy Amendment (Outside School Hours Care Services and Other Measures) Minister's Rules 2024

I, Jason Clare, Minister for Education, make the following rules.

Dated 12 July 2024

Jason Clare
Minister for Education

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1 Name

This instrument is the *Child Care Subsidy Amendment (Outside School Hours Care Services and Other Measures) Minister's Rules 2024*.

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
1. Schedule 1, Items 1-4.	The day after this instrument is registered.	
2. Schedule 1, Items 5-7.	1 September 2024.	1 September 2024.

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Part 1—Outside School Hours Care

1 Paragraph 45(3)(b)

Repeal the paragraph, substitute:

- (b) the service must, in the opinion of the Secretary, primarily provide care outside normal school hours to:
 - (i) children who attend school; or
 - (ii) children who attend an early educational program provided to children in the year that is 2 years before grade 1 of school (such as preschool or kindergarten); or
 - (iii) a combination of children referred to in subparagraphs (3)(b)(i) and (ii).

2 After subsection 45(3)

Insert:

- (3A) For the purposes of paragraph (3)(b), ***normal school hours*** include normal hours of an early educational program provided to children in the year that is 2 years before grade 1 of school (such as preschool or kindergarten).

Part 2—Inducements, financial information and fee reporting

3 After paragraph 48B(2)(i)

Insert:

; (j) contributions or donations to charities.

4 After subsection 54AA(2)

Insert:

Period within which financial information is to be provided

- (3) For the purposes of subparagraph 203BA(2)(c)(ii) of the Family Assistance Administration Act, the period of 4 months after the end of the period that applies under paragraph 203BA(2)(b) of that Act is prescribed.

5 Section 55 (table item 1, column headed “When notification needs to be provided”, after item 1.2)

Insert:

1.3 Within 14 days after 30 June and 31 December in each year.

Part 3—Notice of additional FDC educator information

6 Section 55 (after table item 21)

Insert:

22	Any of the following events: (a) an FDC educator ceases to be engaged by or registered with any of the provider’s approved child care services; (b) 3 months have passed since the educator last provided care on behalf of the provider. The information must include date the person ceased to be engaged by or registered with the service.	The earlier of the following: (a) Within 42 days after the educator ceases to be engaged by or registered with the service; or (b) Within 7 days after the end of the 3 month period after the educator last provided care on behalf of the provider.
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7 Section 55 (after table item 22)

Insert:

23	Change of physical address of the premises from which an FDC educator provides care for the service.	No later than 14 days before the change, or, if the change was not foreseeable at that time, within 7 days after the provider becomes aware of the change.
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