



# **Child Care Subsidy Amendment (Early Childhood Education and Care Worker Retention Payment Engagement Program and Other Measures) Minister's Rules 2024**

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

Dated 3 December 2024

Jason Clare  
Minister for Education

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# Contents

1 Name .....	1
2 Commencement.....	1
3 Authority .....	1
4 Schedules.....	1
<b>Schedule 1—Amendments</b>	<b>2</b>
Part 1—Early Childhood Education and Care Worker Retention Payment Engagement Program	2
<i>Child Care Subsidy Minister’s Rules 2017</i>	2
Part 2—Special Benefit	2
<i>Child Care Subsidy Minister’s Rules 2017</i>	2
Part 3—Public Holidays	3
<i>Child Care Subsidy Minister’s Rules 2017</i>	3
Part 4—Certain child care providers not subject to additional conditions	3
<i>Child Care Subsidy Minister’s Rules 2017</i>	3
Part 5—Technical amendments	3



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## 1 Name

This instrument is the *Child Care Subsidy Amendment (Early Childhood Education and Care Worker Retention Payment Engagement Program 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. Sections 1 to 4 and Schedule 1, Part 1; Part 2 and Part 3	The day after this instrument is registered.	
Schedule 1, Part 4	1 January 2025	1 January 2025
Schedule 1, Part 5	Immediately after the commencement of the <i>Child Care Subsidy Amendment (Parent Pathways and Other Measures) Minister's Rules 2024</i> .	1 November 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Note: This table relates only to the provisions of this instrument as originally made.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 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### Part 1—Early Childhood Education and Care Worker Retention Payment Engagement Program

#### *Child Care Subsidy Minister's Rules 2017*

##### **1 After subsection 78(1A)**

Insert:

- (1B) For subsection 233(2) of the Family Assistance Administration Act, payments made for the purposes of an agreement entered into under the Early Childhood Education and Care Worker Retention Payment Engagement Program are prescribed.

##### **2 Subsection 78(10)**

Omit “\$745 million”, substitute “\$755 million”.

##### **3 After subsection 78(11A)**

Insert:

- (11B) For subsection 233(5) of the Family Assistance Administration Act, the total amount that may be paid for the purpose specified in subsection (1B) in respect of 2024-25 is \$10 million.

### Part 2—Special Benefit

#### *Child Care Subsidy Minister's Rules 2017*

##### **4 Paragraph 13(1)(b)**

Omit “(3); and”, substitute “(3).”.

##### **5 Paragraph 13(1)(d)**

Repeal the paragraph.

##### **6 Subsection 13(17)**

Repeal the subsection.

##### **7 Paragraph 39(2)(d)**

Omit “(subject to subsection (3))”.

##### **8 Subsection 39(3)**

Repeal the subsection.

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## **Part 3—Public Holidays**

### *Child Care Subsidy Minister's Rules 2017*

#### **9 Subparagraph 8(4B)(b)(i)**

Omit “(other than a public holiday to which subsection (4C) applies)”.

#### **10 Subsection 8(4C)**

Repeal the subsection.

## **Part 4—Certain child care providers not subject to additional conditions**

### *Child Care Subsidy Minister's Rules 2017*

#### **11 After subsection 49(1)**

Insert:

- (1A) Despite subsection (1), this section does not apply to a provider in respect of any of the following:
- (a) a State regulated education and care service within the meaning of the *Children (Education and Care Services) Supplementary Provisions Act 2011* (NSW);
  - (b) a Queensland education and care service within the meaning of the *Education and Care Services Act 2013* (Qld);
  - (c) an early childhood service within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011* (SA);
  - (d) a child care service within the meaning of the *Child Care Act 2001* (Tas);
  - (e) a children's service within the meaning of the *Children's Services Act 1996* (Vic);
  - (f) a child care service within the meaning of the *Child Care Services Act 2007* (WA);
  - (g) a childcare service within the meaning of the *Children and Young People Act 2008* (ACT).

## **Part 5—Technical amendments**

#### **12 After subsection 16A(3B) – subheading**

Repeal the subheading.

#### **13 Subsection 54B(2)**

Omit “(c) the provider of the service is a State or Territory, or an authority of a State or Territory.”, substitute “(d) the provider of the service is a State or Territory, or an authority of a State or Territory.”