EXPLANATORY STATEMENT

Family Assistance (Meeting the Immunisation Requirements) Determination 2003

Summary

This Determination is made under subsection 7(2) of the A New Tax System (Family Assistance) Act 1999 (the Family Assistance Act).

It ensures that children who are participating in the current vaccine study being conducted at the Royal Children’s Hospital in Melbourne by the Vaccine and Immunisation Research Group at the Murdoch Children’s Research Institute (the Study) meet the immunisation requirements for the purposes of the family assistance law.

Background

The eligibility rules for maternity immunisation allowance (MIA) and child care benefit (CCB) require a child to meet the immunisation requirements.

These requirements are set out in section 6 of the Family Assistance Act. A child meets the immunisation requirements if:

- the child has been “immunised” in accordance with the standard and catch up schedules determined by the Minister by disallowable instrument under section 4 of the Family Assistance Act (the Minister has determined these to be the standard and catch up vaccination schedules published by the National Health and Medical Research Council in the Australian Immunisation Handbook);
- a parent has a conscientious objection to the child being immunised;
- immunisation would be medically contraindicated;
- the child has developed natural immunity;
- the child is in a class exempted by the Minister from the requirement to be immunised (by determination under subsection 7(1) of the Family Assistance Act); or
- the child is in a class determined by the Minister as having met the requirement (by determination under subsection 7(2) of the Family Assistance Act).

There are two determinations under section 7 of the Family Assistance Act currently in force.
The first exempts from the immunisation requirements a child whose parent is a member of the Church of Christ, Scientist religion. The second ensures that a child meets the immunisation requirement if the vaccine that the child is required to receive is temporarily unavailable, until such time as the required vaccine becomes available.

The Vaccine and Immunisation Research Group at the Murdoch Children’s Research Institute are conducting a study at the Royal Children’s Hospital in Melbourne. The Study will involve approximately 720 child participants aged 18 to 20 months and will evaluate the immune response, persistence of antibodies and safety of the fourth dose of DTPa (INFANRIX) vaccine compared with dTpa (BOOSTRIX) vaccine or no DTPa vaccine.

The Australian Standard Vaccination Schedule recommends a fourth dose of DTPa vaccine at 18 months of age. There will be some children participating in the Study who will not receive a DTPa vaccine at 18 months and who will therefore not meet the immunisation requirements for MIA and CCB purposes.

**Explanation of the clauses**

Clause 1 states the name of this Determination.

Clause 2 states that this Determination commences on gazettal.

Clause 3 ensures that a child meets the immunisation requirements if two conditions are satisfied. The first is that the child is participating in the current vaccine study being conducted at the Royal Children’s Hospital in Melbourne by the Vaccine and Immunisation Research Group at the Murdoch Children’s Research Institute. The second is that the child has received all of the vaccinations required under the Family Assistance Act other than the 18 month vaccination.