Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2007 (No. 1)

A New Tax System (Family Assistance) (Administration) Act 1999

I, MALCOLM THOMAS BROUGH, Minister for Families, Community Services and Indigenous Affairs, make this Determination under subsection 205 (1) of the A New Tax System (Family Assistance) (Administration) Act 1999.

Dated 4 May 2007

MAL BROUGH
Minister for Families, Community Services and Indigenous Affairs

1 Name of Determination

This Determination is the Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2007 (No. 1).

2 Commencement

This Determination commences on the day after it is registered.
Schedule 1 Amendments
(section 3)

[1] Subsection 3 (1)

omit

(1) In this determination, unless the contrary intention appears:

insert

In this determination:

[2] Subsection 3 (2)

omit

[3] Paragraph 10 (1B) (a)

substitute

(a) the service will provide in-home care only to a child:

(i) to whom a circumstance mentioned in subsection (1C) applies; and

(ii) to whom only an in-home care service can provide suitable care;

[4] Subsection 10 (1C)

omit

For the purpose of paragraph (1B) (a),

insert

For subparagraph (1B) (a) (i),

[5] Paragraph 10 (1C) (e)

omit

school;

insert

school; or
Paragraph 10 (1C) (f)

omit

Subsection 16 (6)

omit

After section 16

insert

Compliance with undertakings — general

The approved child care service must comply with an undertaking given by the operator for the service under subsection 8 (2), 9 (2), 10 (1), (1A), (2) or (3) or 13 (1).

Approved in-home care services — compliance with certain undertakings

Certain undertakings given before the specified date

1. An approved in-home care service must, subject to subsections (2) and (3), comply with an undertaking given under subsection 10 (1B) before the specified date by the operator for the service.

2. On and after the specified date and before 1 July 2008, the approved in-home care service may provide in-home care to a child:
   (a) to whom paragraph 10 (1C) (f) (as in force before the specified date) applies; and
   (b) to whom no other paragraph of subsection 10 (1C) applies;
only if the service was, immediately before the specified date, providing in-home care to the child.

3. On and after 1 July 2008, the approved in-home care service must not provide in-home care to a child:
   (a) to whom paragraph 10 (1C) (f) (as in force before the specified date) applies; and
   (b) to whom no other paragraph of subsection 10 (1C) applies.

Note  Paragraph 10 (1C) (f) (as in force before the specified date) was as follows:
(f) the child, or any other child with whom the child lives, is breastfed by the mother working from home; or
Certain undertakings given on or after the specified date

(4) An approved in-home care service must comply with an undertaking given under subsection 10 (1B) on or after the specified date by the operator for the service.

Specified date

(5) In this section:

specified date means the date of commencement of the Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2007 (No. 1).

[9] Paragraphs 23 (a), 23A (a) and 24A (2) (a)

omit

at the commencement of the Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2006 (No. 2):

insert

on 14 October 2006: