



Child Care Benefit (Breach of Conditions for Continued Approval) Amendment Determination 2001 (No.1)

I, AMANDA VANSTONE, Minister for Family and Community Services, make this Determination under subsection 200(5) of the *A New Tax System (Family Assistance) (Administration) Act 1999*.

Dated 26th June 2001.

AMANDA VANSTONE
Minister for Family and Community Services

1 Name of Determination

This Determination is the *Child Care Benefit (Breach of Conditions for Continued Approval) Amendment Determination 2001 (No. 1)*.

2 Commencement

This Determination commences on 1 July 2001, immediately after the commencement of the *Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2001 (No. 1)*.

3 Amendment of *Child Care Benefit (Breach of Conditions for Continued Approval) Determination 2000*

Schedule 1 amends the *Child Care Benefit (Breach of Conditions for Continued Approval) Determination 2000*.

Schedule 1 Amendments

(section 3)

[1] Section 5, heading

substitute

**Additional factor to be taken into account in applying
cancellation sanction - centre based long day care services**

[2] After section 5

insert

5A Additional factors to be taken into account in applying cancellation sanction - family day care services

(1) The following factors are to be taken into account by the Secretary in considering whether to cancel the approval of an approved family day care service under paragraph 200(1)(e) of the Act for failure to comply with the rule in either section 23A (participation in FDC QA) or section 23B (registration and participation in FDC QA) of the approval rules.

(2) Where an approved family day care service has failed to comply with either section 23A, paragraph 23B(2)(b) or paragraph 23B(2)(c) of the approval rules, the Secretary must take into account to what extent the following process has been completed:

(a) the National Childcare Accreditation Council has reported to the Secretary that the child care service is not complying with the rule; and

- (b) the Secretary has informed clients of the child care service of the possible impact on their eligibility for child care benefit if the service continues to breach the rule.
- (3) Where an approved family day care service has failed to comply with paragraph 23B(2)(a) of the approval rules, the Secretary must take into account to what extent the following process has been completed:
 - (a) the National Childcare Accreditation Council has reported to the Secretary that the child care service is not registered as a participant in the FDC QA; and
 - (b) the Secretary has informed clients of the child care service of the possible impact on their eligibility for child care benefit if the service does not register as a participant in the FDC QA.
- (4) In this section “client” means an individual who is liable to pay child care fees.