



## **Child Care Subsidy Amendment (Coronavirus Response Measures No. 3) Minister's Rules 2020**

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I, Dan Tehan, Minister for Education, make the following rules.

Dated                      27 April 2020

Dan Tehan  
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>
<i>Child Care Subsidy Minister’s Rules 2017</i>	2



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## 1 Name

This instrument is the *Child Care Subsidy Amendment (Coronavirus Response Measures No. 3) Minister's Rules 2020*.

## 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. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

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

#### **1 After paragraph 8(1)(g)**

Insert:

- (h) the session of care was provided by a service during a week for which the provider of the service was paid an amount of business continuity payment in relation to the service in accordance with Division 2 of Part 6 of these Rules;
- (i) the provider of the service that provided the session of care charged a fee for the session of care contrary to section 47AA of these Rules.

#### **2 Section 41, heading**

Repeal the heading, substitute:

#### **41 Applications for approval and variation taken not to be made during Early Childhood Education and Care Relief Package**

#### **3 Subsection 41(1)**

Repeal the subsection, substitute:

- (1) For paragraph 194A(3)(b) of the Family Assistance Administration Act, an application for approval as a provider is taken not to be made if it was made during the period mentioned in section 60A of these Rules.
- (1A) For paragraph 196A(3)(b) of the Family Assistance Administration Act, an application for variation of a provider's approval is taken not to be made if it was made during the period mentioned in section 60A of these Rules.

#### **4 Subsection 41(2)**

After "subsection (1)", insert "or (1A)".

#### **5 Before section 47**

Insert:

#### **47AA No charging of fees for duration of Early Childhood Education and Care Relief Package business continuity payments**

For section 195E of the Family Assistance Administration Act, it is a condition for continued approval that the provider does not charge an individual a fee for a session of care provided by an approved child care service of the provider during the period mentioned in section 60A of these Rules.

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## 6 After Part 7

Insert:

## Part 8—Miscellaneous

### 78 Grant purposes supported by standing appropriation

For subsection 233(2) of the Family Assistance Administration Act, payments made for the purposes of an agreement entered into in accordance with the *Community Child Care Fund Special Circumstances Opportunity Guidelines*, as published by the Department from time to time, are prescribed.

Note: In 2020, the *Community Child Care Fund Special Circumstances Opportunity Guidelines* were available on the Department's website at [www.dese.gov.au](http://www.dese.gov.au).