

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

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

Dated 27 April 2020

Dan Tehan

Minister for Education

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 1

Schedule 1—Amendments 2

Child Care Subsidy Minister’s Rules 2017 2

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Note: This table relates only to the provisions of this instrument as originally made.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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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.

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).