



Child Care Subsidy Amendment (Coronavirus Response Measures No. 8) Minister's Rules 2020

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

Dated 14 December 2020

Dan Tehan
Minister for Education

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1 Name

This instrument is the *Child Care Subsidy Amendment (Coronavirus Response Measures No. 8) 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 the 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Subsection 5AA(5)

Omit “29 days”, substitute “44 days”.

2 Subsection 5AA(5), note

Repeal the note, substitute:

Note: As a result of subsection 10(2) of the Family Assistance Act, in the 2020-2021 financial year, because of the COVID-19 pandemic, a child will be able to have up to 45 extra allowable absence days from a child care service located in Victoria (and so will have up to 87 allowable absence days).

3 After paragraph 5B(2)(d)

Insert:

; (e) the session of care would be taken to be provided in the period beginning on 13 July 2020 and ending on 31 December 2020 by a service that was located in a Restricted Area (within the meaning of the Stay at Home Directions) at any time in that period.

4 After section 23

Insert:

23A Australian courses of study

For the purposes of paragraph 12(2)(d) of Schedule 2 to the Family Assistance Act, an Australian course of study (within the meaning of the *Tertiary Education Quality and Standards Agency Act 2011*) is a recognised activity.

5 Paragraph 52(3)(d)

Repeal the paragraph, substitute:

(d) involves a failure to take reasonable care to ensure that information given to the Secretary in connection with the family assistance law, including in a report under subsection 204B(1) of the Family Assistance Administration Act, is not inaccurate, false or misleading; or

6 Subparagraph 52(4)(b)(ii)

Repeal the subparagraph, substitute:

(ii) whether the non-compliance indicates a failure to take reasonable care to comply with the condition, or a lack of ability to understand the obligation to comply;

7 Subparagraph 54A(4)(b)(ii)

Omit “31 December 2020”, substitute “31 January 2021”.