



Child Care Subsidy Amendment (Coronavirus Response Measures No. 4) Minister's Rules 2021

I, Alan Tudge, Minister for Education and Youth, make the following rules.

Dated 3 August 2021

Alan Tudge
Minister for Education and Youth

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1 Name

This instrument is the *Child Care Subsidy Amendment (Coronavirus Response Measures No. 4) Minister's Rules 2021*.

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
The whole of this instrument.	23 June 2021.	23 June 2021.

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 85GB(1) of 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Section 5AA, heading

Repeal the heading, substitute:

5AA Particular event or circumstance—COVID-19 for the 2019-20 and 2020-21 financial years

2 After section 5AA

Insert:

5AAB Particular event or circumstance—COVID-19 for 23 June 2021 onwards

- (1) This section sets out, for the purposes of subparagraph 10(2)(c)(ii) and subsection 10(2AA) of the Family Assistance Act, conditions relating to a particular event or circumstance to be met in order for a child care service to be taken to have provided a session of care to a child.

- (2) The particular event or circumstance is the COVID-19 pandemic.

Conditions

- (3) It is a condition that the day is during a period the child care service was in a COVID-19 hotspot.

- (4) For the purposes of this section, a child care service is *in a COVID-19 hotspot* if it is in a location that is both:

- (a) subject to a State or Territory public health order restricting the movement of persons for a period; and
- (b) within a COVID-19 hotspot as determined by the Commonwealth Chief Medical Officer for the purposes of Commonwealth support for a period of more than 7 days.

- (5) If, but for this subsection, a session of care could be taken to have been provided under either this section or section 5AA, the conditions in this section apply and the conditions in section 5AA do not.