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**EDUCATION**

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ED301

Education and Care Services National Law (WA) Act 2012

**Education and Care Services National  
Amendment Regulations (No. 2) 2018**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Education and Care Services National Amendment Regulations (No. 2) 2018*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2018.

**3. Regulations amended**

These regulations amend the *Education and Care Services National Regulations 2012*.

**4. Regulation 4 amended**

In regulation 4(1) insert in alphabetical order:

*family assistance law* has the same meaning as it has in the *A New Tax System (Family Assistance) (Administration) Act 1999* of the Commonwealth;

**5. Regulation 5 amended**

Delete regulation 5(2)(k) and insert:

- (k) a service providing education and care if, on 30 June 2018 —
  - (i) the service provider was, in respect of the service, in receipt of funding under the Budget Based Funded program administered by the Department of Education and Training of the Commonwealth; and
  - (ii) the service was not approved for the purposes of the family assistance law;

- (ka) a service providing education and care if, on 30 June 2018 —
- (i) the service provider was, in respect of the service, in receipt of funding under the Indigenous Advancement Strategy administered by the Department of Prime Minister and Cabinet of the Commonwealth; and
  - (ii) the service was not approved for the purposes of the family assistance law; and
  - (iii) the service was not regulated under the National Quality Framework;

**6. Regulation 146 amended**

In regulation 146(f) after “clearance or” insert:

current

**7. Regulation 147 amended**

In regulation 147(f) after “clearance or” insert:

current

**8. Part 4.7 heading replaced**

Delete the heading to Part 4.7 and insert:

**Part 4.7 — Governance and leadership**

**9. Regulation 240 amended**

Delete regulation 240(1) and insert:

- (1) This regulation applies until 1 January 2020 to a centre-based service located in a remote area or a very remote area.

Note for this subregulation:

This subregulation differs from regulation 240(1) of the national regulations made by the Ministerial Council.

N. HAGLEY, Clerk of the Executive Council.