

## Children and Community Services Act 2004

**Children and Community Services (School Age Family Day Care) Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Children and Community Services (School Age Family Day Care) Amendment Regulations 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Children and Community Services (School Age Family Day Care) Regulations 2006\**.

[\* *Published in Gazette 18 January 2006, p. 191-238.*]

**3. Regulation 1 amended**

Regulation 1 is amended by deleting “*School Age*” and inserting instead —

“ *Outside School Hours* ”.

**4. Regulation 3 amended**

Regulation 3 is amended as follows:

- (a) in the definition of “care session” by deleting “a school age” and inserting instead —  
“ an outside school hours ”;
- (b) in the definition of “licence” by deleting “a school age” and inserting instead —  
“ an outside school hours ”;
- (c) in paragraph (a) of the definition of “place” by deleting “a school age” and inserting instead —  
“ an outside school hours ”;
- (d) in paragraph (b) of the definition of “place” by deleting “school age” and inserting instead —  
“ outside school hours ”;
- (e) by deleting the definitions of “enrolled child”, “school age family day care licence” and “school age family day care service”;

- (f) by inserting the following definitions in the appropriate alphabetical positions —

“

“**enrolled child**”, in relation to an outside school hours family day care service, means a child for whom the service is provided;

“**outside school hours family day care licence**” means a licence granted under the Act section 205(1) authorising the provision of an outside school hours family day care service;

“**outside school hours family day care service**” means a family day care service provided outside school hours for children of school age or kindergarten children;

”.

**5. Regulation 4 replaced**

Regulation 4 is repealed and the following regulation is inserted instead —

“

**4. Meaning of “school age”**

A child is of “**school age**” in a particular year if the child —

- (a) has reached 5 years and 6 months of age or will reach 5 years and 6 months of age in that year; and
- (b) is under 15 years and 6 months of age.

”.

**6. Regulation 6 replaced**

Regulation 6 is repealed and the following regulation is inserted instead —

“

**6. Outside school hours family day care service prescribed**

Under the Act section 232(a), an outside school hours family day care service is prescribed as a type of child care service.

”.

**7. Part 4 heading amended**

The heading to Part 4 is amended by deleting “school age” and inserting instead —

“ **outside school hours** ”.

**8. Regulation 49 amended**

Regulation 49(1)(a) is amended by deleting “by a person other than the licensee or supervising officer”.

**9. Regulation 72 amended**

Regulation 72(2) is amended by deleting “a school age family day care” and inserting instead —

“ an outside school hours family day care ”.

**10. Regulation 73 inserted**

After regulation 72 the following regulation is inserted —

“

**73. Continued operation of service in certain circumstances**

- (1) In an emergency situation or in circumstances where the licence for the outside school hours family day care service is suspended or cancelled, the CEO may, in writing, authorise a person to continue to operate a service for a period specified in the authorisation.
- (2) The period specified in the authorisation must not be longer than 3 months.
- (3) A person authorised under subregulation (1) is to be taken to be the licensee for the purposes of the Act and the regulations.

”.

**11. Various references to “the school age family day care service” changed to “the outside school hours family day care service”**

In each place listed in the Table to this regulation “school age” is deleted and the following is inserted instead —

“ outside school hours ”.

**Table**

r. 8(b)	r. 38(1)
r. 10(1)(f)	r. 47
r. 11(1)	r. 48(1) and (2)
r. 12(3)(b)	r. 67
r. 19(1)(b), (c) and (g)	r. 68(1)
r. 22(1)	

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.