

Children and Community Services Act 2004

**Children and Community Services Amendment
Regulations 2006**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services Amendment Regulations 2006*.

2. The regulations amended

The amendments in these regulations are to the *Children and Community Services Regulations 2006**.

[* *Published in Gazette 18 January 2006, p. 353-72.*]

3. Regulation 22A inserted

After regulation 22 the following regulation is inserted —

“

22A. Age prescribed for s. 198(1)

The age of 15 years and 6 months is prescribed for purposes of section 198(1).

”

4. Regulation 23 amended

(1) Regulation 23(1) is amended as follows:

- (a) by deleting the full stop at the end of the definition of “first aid qualifications” and inserting a semicolon instead;
- (b) by inserting the following definition —

“

“**secondary programme**” has the meaning given to that term in the *School Education Regulations 2000* regulation 3(1).

”

- (2) After regulation 23(4) the following subregulations are inserted —

“

- (5) Care provided to a child is excluded from the application of section 198(1) if the care is provided solely for the purposes of —
- (a) the child's participation in religious instruction or sporting, educational, recreational or cultural events or activities; or
 - (b) the child's membership of a non-profit community organisation.
- (6) Care provided solely to children who are enrolled in a secondary programme is excluded from the application of section 198(1).

”

5. Regulation 27A inserted

After regulation 27 the following regulation is inserted —

“

27A. Holders of existing authorisations taken to hold licences of a particular type

- (1) A person who holds an existing authorisation —
- (a) to which the *Community Services (Child Care) Regulations 1988* applied immediately before commencement day; and
 - (b) which authorises the provision of a child care service other than a family day care service,

is to be taken to hold a child care licence as defined in the *Children and Community Services (Child Care) Regulations 2006* regulation 3.

- (2) A person who holds an existing authorisation —
- (a) to which the *Community Services (Child Care) Regulations 1988* applied immediately before commencement day; and
 - (b) which authorises the provision of a family day care service,

is to be taken to hold a family day care licence as defined in the *Children and Community Services (Family Day Care) Regulations 2006* regulation 3.

- (3) A person who holds an existing authorisation which was an outside school hours care centre licence or outside school hours care centre permit under the *Community Services (Outside School Hours Care) Regulations 2002* immediately before commencement day is to be taken to hold an outside school hours care

licence as defined in the *Children and Community Services (Outside School Hours Care) Regulations 2006* regulation 3.

- (4) A person who holds an existing authorisation which was a school age family day care licence or school age family day care permit under the *Community Services (Outside School Hours Care) Regulations 2002* immediately before commencement day is to be taken to hold an outside school hours family day care licence as defined in the *Children and Community Services (Outside School Hours Family Day Care) Regulations 2006* regulation 3.

”.

By Command of the Governor,

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