

CX303*

Children and Community Services Act 2004

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

Made by the Governor in Executive Council.

1. Citation

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

2. The regulations amended

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

[* *Reprint 1 as at 21 April 2006.*]

3. Regulation 3 amended

Regulation 3 is amended in the definition of “first aid qualifications” by inserting after “the following” —

“ or equivalent ”.

4. Regulation 11 amended

- (1) Regulation 11(5) is repealed.
- (2) Regulation 11(6) is amended by deleting “Subregulations (3) and (5), and regulation 14, do” and inserting instead —
“ Subregulation (3) does ”.

5. Regulation 13 amended

- (1) Regulation 13(1) is amended by deleting “, or the renewal of a licence,”.
- (2) Regulation 13(3)(b) is amended by deleting “or renewal of the licence”.
- (3) Regulation 13(4) is amended by deleting “or renew”.

6. Regulation 14 repealed

Regulation 14 is repealed.

7. Regulation 15 amended

- (1) Regulation 15(1) is repealed and the following subregulation is inserted instead —

“

- (1) Any person may object to the grant of a licence on the ground that the applicant is not a fit and proper person to provide or be involved in the provision of a child care service.

”.

- (2) Regulation 15(3) is amended as follows:
 - (a) by deleting “or 14”;
 - (b) by deleting “grant or renew the licence or give approval, as the case requires.” and inserting instead —
“ grant the licence. ”.

8. Regulation 20 amended

Regulation 20(4) is repealed and the following subregulations are inserted —

“

- (4) Subregulation (1) does not apply to the taking or recording of a visual image —
 - (a) by a licensing officer when exercising a power or performing a duty under the Act; or

- (b) for the purpose of monitoring an enrolled child.
- (5) Subregulation (3) does not apply to the use of a visual image for the purpose of monitoring an enrolled child.

”.

9. Regulation 23 amended

Regulation 23(1) is amended by deleting “and” after paragraph (a) and inserting instead —

“ or ”.

10. Regulation 37 amended

Regulation 37(4) is repealed and the following subregulation is inserted instead —

“

- (4) A licensee must ensure that a fire or heating apparatus at the place (other than a low surface temperature heater) is effectively shielded or guarded when in use to prevent —
 - (a) direct contact by or access to any child; and
 - (b) the emission of any sparks or flame.

”.

11. Regulation 38 amended

Regulation 38(2) is repealed and the following subregulation is inserted instead —

“

- (2) A licensee must ensure that a ceiling mounted fan at the place that has blades 2 400 mm or less above the floor below it is not operated if —
 - (a) an enrolled child is present at the place; and
 - (b) an enrolled child has access to the area in which the fan is located.

”.

12. Regulation 88 amended

Regulation 88 is amended by deleting “may” and inserting instead —

“ must ”.

By Command of the Governor,

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