

CX305*

Children and Community Services Act 2004

**Children and Community Services (Outside
School Hours Family Day Care) Amendment
Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services (Outside School Hours Family Day Care) Amendment Regulations (No. 2) 2006*.

2. The regulations amended

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

[* Reprint 1 as at 21 April 2006.]

3. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) in the definition of “first aid qualifications” by inserting after “the following” —
“ or equivalent ”;
- (b) by deleting the definition of “secondary programme”.

4. Regulation 12 amended

- (1) Regulation 12(5) is repealed.
- (2) Regulation 12(6) is amended by deleting “Subregulations (3) and (5), and regulation 15, do” and inserting instead —
“ Subregulation (3) does ”.

5. Regulation 14 amended

- (1) Regulation 14(1) is amended by deleting “, or the renewal of a licence,”.
- (2) Regulation 14(3)(b) is amended by deleting “or renewal of the licence”.
- (3) Regulation 14(4) is amended by deleting “or renew”.

6. Regulation 15 repealed

Regulation 15 is repealed.

7. Regulation 16 amended

- (1) Regulation 16(1) is repealed and the following subregulation is inserted instead —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 16(3) is amended as follows:

- (a) by deleting “or 15”;
- (b) by deleting “or renew the licence or give approval, as the case requires.” and inserting instead —
“ the licence. ”.

8. Regulation 21 amended

Regulation 21(4) is repealed and the following subregulations are inserted —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 29A inserted

After regulation 29 the following regulation is inserted —

“

29A. Heating

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.

Penalty: a fine of \$4 000.

”.

10. Regulation 30 amended

After regulation 30(2) the following subregulation is inserted —

“

- (2a) If an animal or bird is kept at the place, a licensee must ensure that a child is not allowed access to the animal or bird except under the direct supervision of a person of not less than 18 years of age.

”.

11. Regulation 71 amended

Regulation 71 is amended by deleting “may” and inserting instead —

“ must ”.

By Command of the Governor,

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