



Queensland

Child Care Amendment Regulation (No. 1) 2005

Explanatory Notes for SL 2005 No. 316

made under the

Child Care Act 2002

Act under which the significant subordinate legislation is made

The amendment to the *Child Care Regulation 2003* is made under section 175 of the *Child Care Act 2002*.

Objectives of the significant subordinate legislation

The key objective of the Significant Subordinate Legislation is to amend areas of confusion, anomaly, and inconsistency that have been revealed since the commencement of the *Child Care Regulation 2003* on 1 September 2003.

One of the major criticisms of the previous legislation (ie the *Child Care Act 1991*, *Child Care (Child Care Centres) Regulation 1991* and *Child Care (Family Day Care) Regulation 1991*) was that minor amendments to resolve anomalies and practice issues were not made to the Regulation in a timely manner during its currency. This compounded issues for the sector and the Department in administering the Act.

Since the implementation of the new legislation, the Department of Communities has been seeking to identify areas of confusion, anomaly, and inconsistency within the legislation and recommend appropriate responses, including legislative amendments, from time to time. The proposed amendments to the *Child Care Regulation 2003* will remedy anomalies and clarify areas of confusion which will ensure the regulations reflect the

evolution of the child care industry and the changing needs of families requiring child care outside of the home.

For example, the difficulties in engaging staff, particularly in rural and remote areas, has prompted the need to amend the qualification requirements in the *Child Care Regulation 2003* to enable eligible primary teachers, engaged in an early childhood or child care course, to work as group leaders in child care centres. Parents and guardians will also be empowered by ensuring they are provided with information concerning their child's care and the involvement of the Department of Communities in licensing and monitoring child care services.

Estimated cost of government implementation

The proposed amendment is not expected to have any significant financial implications for the Department of Communities.

A regulatory impact statement has not been prepared as the proposed amendment does not impose any appreciable costs on the community.

Consistency with fundamental legislative principles

The proposed amendment is consistent with the Fundamental Legislative Principles.

Consultation

Child Care sector representatives, from both the private and community sector, have been consulted in the development of proposed amendments through sector meetings and distribution of a consultation paper to assist stakeholders in providing feedback. The feedback received strongly supported the proposed amendments. Organisations consulted include:

- Playgroup Association of Queensland Incorporated;
- Family Day Care Association Limited;
- Creche and Kindergarten Association of Queensland;
- ABC Early Learning Centres Pty Ltd
- Child Care Queensland
- Child Care National Association
- Early Childhood Australia

- Churches in Child Care
 - PCYC
 - YMCA
 - Queensland Children's Activities Network (QCAN) Inc
 - National Association of Community Based Children's Services (NACBCS)
 - Centacare
 - Queensland Council of Social Service (QCOSS)
 - Queensland Care Providers Association
 - Lifeline Community Care Queensland
 - Queensland Council of Parents & Citizens Associations
 - Ramsay & Bourne Management Company
 - Child Care Forum members
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ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Communities.