



Queensland

Child Care Amendment Regulation (No. 1) 2011

Subordinate Legislation 2011 No. 31

made under the

Child Care Act 2002

Contents

		Page
1	Short title	2
2	Regulation amended	2
3	Insertion of new s 126AA	2
	126AA Prescribed entity—Act, s 170A.	2
4	Insertion of new ss 127A to 127D	2
	127A Waiver of fee for renewal of licence	2
	127B Refund of fee for renewal of licence	3
	127C Waiver of fee for replacement of licence	4
	127D Refund of fee for replacement of licence	4
5	Amendment of sch 4 (Dictionary).	5

1 Short title

This regulation may be cited as the *Child Care Amendment Regulation (No. 1) 2011*.

2 Regulation amended

This regulation amends the *Child Care Regulation 2003*.

3 Insertion of new s 126AA

After section 126A—

insert—

‘126AA Prescribed entity—Act, s 170A

‘For section 170A of the Act, definition *central governing body*, the following entities are prescribed—

- (a) the Association of Independent Schools of Queensland Inc;
- (b) the Corporation of the Roman Catholic Bishops of Queensland;
- (c) the Creche and Kindergarten Association of Queensland;
- (d) Queensland Lutheran Early Childhood Services;
- (e) the Gowrie (Qld) Inc.’.

4 Insertion of new ss 127A to 127D

Part 6—

insert—

‘127A Waiver of fee for renewal of licence

- ‘(1) A licensee for a child care service may apply in writing to the chief executive for a waiver of payment of a fee for renewal of a licence.
- ‘(2) The chief executive may waive, wholly or partly, payment of the fee by the licensee if satisfied—

- (a) the child care service has been or is conducted within a prescribed declared area of a disaster situation; and
- (b) the disaster situation was declared on a day not earlier than 180 days before the expiry day and not later than the expiry day; and
- (c) the licensee has suffered hardship.

Examples for paragraph (c)—

- 1 A child care service has sustained significant physical or structural damage to premises.
- 2 A child care service experienced loss of electrical power that impacted on the provision of child care.

‘127B Refund of fee for renewal of licence

- ‘(1) A licensee for a child care service may apply in writing to the chief executive for a refund of a fee paid for renewal of a licence.
- ‘(2) An application under this section may not be made more than 270 days after the expiry day.
- ‘(3) The chief executive may refund, wholly or partly, a fee paid by the licensee if satisfied—
 - (a) the child care service has been or is conducted within a prescribed declared area of a disaster situation; and
 - (b) the disaster situation was declared on a day not earlier than 180 days before the expiry day and not later than 180 days after the expiry day; and
 - (c) the licensee has suffered hardship.

Examples for paragraph (c)—

- 1 A child care service has sustained significant physical or structural damage to premises.
- 2 A child care service experienced loss of electrical power that impacted on the provision of child care.

‘127C Waiver of fee for replacement of licence

- ‘(1) A licensee for a child care service may apply in writing to the chief executive for a waiver of payment of a fee for replacement of a licence.
- ‘(2) The chief executive may waive, wholly or partly, payment of the fee by the licensee if satisfied—
 - (a) the child care service has been or is conducted within a prescribed declared area of a disaster situation; and
 - (b) the disaster situation was declared on a day not earlier than 90 days before the day the licensee applied for a replacement licence; and
 - (c) the licensee has suffered hardship.

Examples for paragraph (c)—

- 1 A child care service has sustained significant physical or structural damage to premises.
- 2 A child care service experienced loss of electrical power that impacted on the provision of child care.

‘127D Refund of fee for replacement of licence

- ‘(1) A licensee for a child care service may apply in writing to the chief executive for a refund of a fee paid for replacement of a licence.
- ‘(2) An application under this section may not be made more than 180 days after the day the fee is paid.
- ‘(3) The chief executive may refund, wholly or partly, a fee paid by the licensee if satisfied—
 - (a) the child care service has been or is conducted within a prescribed declared area of a disaster situation; and
 - (b) the disaster situation was declared on a day not earlier than 90 days before the day the licensee applied for a replacement licence; and
 - (c) the licensee has suffered hardship.

Examples for paragraph (c)—

- 1 A child care service has sustained significant physical or structural damage to premises.
- 2 A child care service experienced loss of electrical power that impacted on the provision of child care.’.

5 Amendment of sch 4 (Dictionary)

Schedule 4—

insert—

‘***expiry day***, for a licence, means the day the licence expired or is due to expire.

prescribed declared area means a declared area under the *Disaster Management Act 2003* for a disaster situation declared on or after 28 December 2010.’.

ENDNOTES

- 1 Made by the Governor in Council on 31 March 2011.
- 2 Notified in the gazette on 1 April 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Education and Training.

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