



Social Security (Childcare Assistance) Amendment Regulations (No 2) 2006

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 27th day of March 2006

Present:

Her Excellency the Governor-General in Council

Pursuant to section 132AC of the Social Security Act 1964, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

- (1) These regulations are the Social Security (Childcare Assistance) Amendment Regulations (No 2) 2006.
- (2) In these regulations, the Social Security (Childcare Assistance) Regulations 2004 are called “the principal regulations”.

2 Commencement

These regulations come into force on 1 April 2006.

3 New regulation 20 substituted

The principal regulations are amended by revoking regulation 20, and substituting the following regulation:

“20 Eligibility of child for payment of OSCAR subsidy

An OSCAR subsidy may be paid for a child only if he or she—

- “(a) is a dependent child; and
- “(b) is participating in (or will participate in) one or more OSCAR programmes for a total of 3 or more hours a week; and
- “(c) is—
 - “(i) at least 5, and under 14; or
 - “(ii) 14 or older, and for whom a child disability allowance is payable.”

4 New regulation 20A inserted

The principal regulations are amended by inserting, after regulation 20, the following regulation:

“20A OSCAR subsidy available only if payable under regulation 22 or regulation 22A

An OSCAR subsidy for an eligible child’s participation in an OSCAR programme is payable only if regulation 22 or regulation 22A provides that it is payable.”

5 Activities in respect of which OSCAR subsidy available

- (1) The heading to regulation 21 of the principal regulations is amended by adding the words “**under regulation 22**”.

- (2) Regulation 21 of the principal regulations is amended by inserting, after the words “is available”, the words “under regulation 22”.

6 Payment of OSCAR subsidy

- (1) Regulation 22 of the principal regulations is amended by revoking the heading, and substituting “**Payment of OSCAR subsidy if principal caregiver engaged in approved activity**”.
- (2) Regulation 22(1) of the principal regulations is amended by revoking paragraphs (a) and (b), and substituting the following paragraphs:
- “(a) subclause (2) applies to the child, and either subclause (3) or subclause (4) applies to each of those periods; or
 - “(b) a child disability allowance is payable for the child; or
 - “(c) the child’s principal caregiver is also the principal caregiver of some other child who is either in hospital or is a child for whom a child disability allowance is payable.”

7 New regulation 22A inserted

The principal regulations are amended by inserting, after regulation 22, the following regulation:

“22A Payment of OSCAR subsidy if principal caregiver has serious disability or illness

An OSCAR subsidy for a child’s participation in an OSCAR programme is payable for up to 20 hours a week during the school term, or up to 50 hours a week during the school holidays, if—

- “(a) the child is participating in (or will participate in) 1 or more OSCAR programmes for a total of 3 or more hours a week; and
- “(b) the chief executive is satisfied, in the light of a certificate from a medical practitioner, that the child’s principal caregiver—
 - “(i) has a serious disability or illness; and
 - “(ii) needs an OSCAR programme for the child for more than 3 hours a week; and
- “(c) at least 1 of the following applies:
 - “(i) the child has no other caregiver:

- “(ii) the child’s other caregiver is engaged in an approved activity:
- “(iii) the child’s other caregiver is not engaged in an approved activity, but the chief executive is satisfied that for some good reason the other caregiver cannot care for the child:
- “(iv) a child disability allowance is payable for the child.”

Rebecca Kitteridge,
Acting for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 April 2006, amend provisions of the Social Security (Childcare Assistance) Regulations 2004 (“the principal regulations”) relating to eligibility for, and payment of, the OSCAR subsidy (an out-of-school care and recreation subsidy provided for in Part 3 of the principal regulations).

The amendments make the OSCAR subsidy available if—

- a child is eligible for the child disability allowance; or
 - another child under the care of the same principal caregiver is hospitalised or is eligible for a child disability allowance; or
 - a child’s principal caregiver is seriously disabled or ill.
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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 March 2006.

These regulations are administered in the Ministry of Social Development.
