

Reprint
as at 26 November 2018



Social Security (Childcare Assistance) Amendment Regulations (No 2) 2012 (SR 2012/206)

Social Security (Childcare Assistance) Amendment Regulations (No 2) 2012: revoked, on 26 November 2018, pursuant to regulation 295(4) of the Social Security Regulations 2018 (LI 2018/202).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 6th day of August 2012

Present:

His Excellency the Governor-General in Council

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

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Social Development.

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Regulations

1 Title

These regulations are the Social Security (Childcare Assistance) Amendment Regulations (No 2) 2012.

2 Commencement

These regulations come into force on 20 August 2012.

3 Principal regulations

These regulations amend the Social Security (Childcare Assistance) Regulations 2004 (the **principal regulations**).

4 Regulation 3 amended (Interpretation)

- (1) In regulation 3(1), insert in its appropriate alphabetical order:

approved early-childhood education programme means a programme of early-childhood education that—

- (a) is provided by any of the following (within the meaning of section 309 of the Education Act 1989):
 - (i) a licensed early childhood service;
 - (ii) a playgroup that is a certificated playgroup under the Education (Playgroups) Regulations 2008;
 - (iii) a licence-exempt early childhood education and care centre that is continued under section 319O of the Education Act 1989 and is exempt until a date that is no later than 1 December 2014; and
- (b) charges a uniform monetary fee for the participation of children in the programme

(2) In regulation 3(1), revoke the definitions of **approved early-childhood care arranger**, **approved early-childhood education service**, and **approved early-childhood programme**.

(3) Replace regulation 3(2) with:

(2) For the purposes of the definition of approved early-childhood education programme, the provider of the programme charges a uniform monetary fee for the participation of children in the programme even if, in the case of families with 2 or more children, it charges for a second or further child a uniform fee that is less than the uniform fee charged for a first or an only child.

5 Regulation 5 amended (Hours to be calculated weekly)

In regulation 5, after “early-childhood”, insert “education”.

6 Regulation 5A amended (Childcare assistance not payable in respect of certain hours)

In regulation 5A, after “early-childhood”, insert “education”.

7 Regulation 6 amended (Assistance to be no more than hourly fee payable)

In regulation 6(1), after “early-childhood”, insert “education”.

8 Regulation 9 amended (Absence of child to be notified)

In regulation 9, after “early-childhood”, insert “education”.

9 Regulation 10 amended (Payment of assistance during child’s absence)

In regulation 10(1), after “early-childhood”, insert “education”.

10 Regulation 13 amended (Childcare subsidy available only if payable under regulation 14, 16, or 17)

In regulation 13, after “early-childhood”, insert “education”.

- 11 Regulation 14 amended (Payment of childcare subsidy if principal caregiver engaged in approved activity)**
- (1) In regulation 14(1), after “early-childhood”, insert “education” in each place.
 - (2) In regulation 14(3)(a), after “early-childhood”, insert “education”.
 - (3) In regulation 14(4), after “early-childhood”, insert “education” in each place.
- 12 Regulation 16 amended (Payment of childcare subsidy if principal caregiver not engaged in approved activity but has serious disability or illness)**
- In regulation 16, after “early-childhood”, insert “education” in each place.
- 13 Regulation 17 amended (Payment of childcare subsidy if principal caregiver neither engaged in approved activity nor has serious disability or illness)**
- In regulation 17, after “early-childhood”, insert “education” in each place.
- 14 Regulation 18 amended (Rate of childcare subsidy)**
- In regulation 18(2), after “early-childhood”, insert “education”.
- 15 Regulation 19 amended (Childcare subsidy usually payable to service)**
- Replace regulation 19(2)(a) with:
- (a) the sum represents an underpayment of the amounts that should have been paid to a provider of a licensed home-based education and care service in respect of the child’s participation in that service; and
- 16 Regulation 28 amended (Recovery of overpayments)**
- In regulation 28(2), after “early-childhood”, insert “education”.
- 17 Schedule 1 amended**
- In Schedule 1, clause 4, after “early-childhood”, insert “education”.
- 18 Schedule 2 amended**
- In Schedule 2, clause 4, after “early-childhood”, insert “education”.

Michael Webster,
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 20 August 2012, amend the Social Security (Childcare Assistance) Regulations 2004 (the **principal regulations**) by

revoking the definition of approved early-childhood programme and inserting the definition of approved early-childhood education programme. That term is required to be defined by regulations by section 170(2)(c) of the Social Security Act 1964, following amendment of that Act by the Social Security (Youth Support and Work Focus) Amendment Act 2012. Subsequent references in the principal regulations to an approved early-childhood programme are amended accordingly.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 9 August 2012.

Reprints notes

1 *General*

This is a reprint of the Social Security (Childcare Assistance) Amendment Regulations (No 2) 2012 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Social Security Regulations 2018 (LI 2018/202): regulation 295(4)