

# Family Start and Early Start (Childcare Assistance) Amendment 2020

This instrument is made under section 101 of the Social Security Act 2018 by the Minister for Social Development.

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## Instrument

### 1 Title

This instrument is the Family Start and Early Start (Childcare Assistance) Amendment 2020.

### 2 Commencement

This instrument comes into force on 23 October 2020.

### 3 Principal programme

This instrument amends the Family Start and Early Start (Childcare Assistance) Programme<sup>1</sup> (as established and approved on 12 September 2005) (the **principal programme**).

### 4 Clause 9 amended (Payment during absences of eligible child)

After clause 9(b), insert new subclauses:

“(c) despite subclause (a) assistance can continue for the period of the absence if the child is absent from the programme because of COVID-19 requirements, whether or not the programme charges a fee for holding open the places of children who are absent;

“(d) In this clause, -

“**available**, for the programme, if subclause (c) applies to the child, means that—

(a) the programme is attended by, and provided to, any other child, or any other children, to whom COVID-19 requirements do not apply; or

(b) the programme is not attended by, nor provided to, any children, because their absence is due to reasons that are or include COVID-19 requirements

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<sup>1</sup> New Zealand Gazette, 15 December 2005, page 5275, notice 2005-go8285.

**“COVID-19 requirements**, for a child or children, means requirements that apply to the child or children, and that are imposed—  
(a) by or under an Act; and  
(b) to prevent, or limit the risk of, the outbreak or spread of COVID-19.”

Dated at this day of 20

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Minister for Social Development

**Explanatory note**

*This note is not part of the instrument but is intended to indicate its general effect.* This instrument, which comes into force on 23 October 2020, amends the Family Start and Early Start (Childcare Assistance) Programme made under the Social Security Act 1964 and saved by clause 21 of Schedule 1 of the Social Security Act 2018.

The amendments are about childcare assistance. In particular, clause 9 is amended to ensure that the assistance may continue to be paid during a child’s temporary absence, due to COVID-19 requirements, from an early childhood education programme.

*New clause 9(c)* ensures that assistance may continue to be paid for a period during a child’s absence from the programme –

- If the absence is due to COVID-19 requirements (as that term is defined in *new clause 9(d)*, and whether or not the programme charges a fee for holding open the places of children who are absent), for the weeks of the absence, regardless of whether the absence exceeds 30 working days

The programme is available, as that term is defined in *new clause 9(d)*, if the absence is due to COVID-19 requirements (and so *new clause 9(c)* applies to the child) and—

- the programme is attended by, and provided to, any other child, or any other children, to whom COVID-19 requirements do not apply; or
- the programme is not attended by, nor provided to, any children, because their absence is due to reasons that are or include COVID-19 requirements.

*New clause 9(c) and 9(d)* applies, on and after the commencement, on 23 October 2020, of this amendment, to a child who is eligible for assistance regardless of whether the child became eligible for the assistance—

- before that commencement; or
- on or after that commencement

