

# Guaranteed Childcare Assistance Payment Amendment Programme 2024

This instrument is made under section 101(1) of the Social Security Act 2018 by the Minister for Social Development and Employment.

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## Instrument

### 1 Title

This instrument is the **Guaranteed Childcare Assistance Payment Amendment Programme 2024**.

### 2 Commencement

This instrument comes into force on 3 June 2024.

### 3 Programme amended

This instrument amends the **Guaranteed Childcare Assistance Payment Programme** established and approved on 13 August 2012 (the Principal Programme).

### 4 Clause 4 amended (Interpretation)

- (1) In clause 4(1), insert the following definitions in the appropriate alphabetical order:


**educator** has the meaning given in section 19(3) of the Education and Training Act 2020

**licensed home-based education and care service** has the meaning given in section 10(1) of the Education and Training Act 2020

### 5 Clause 6 amended (Guaranteed childcare assistance payment: Entitlement)

- (1) In clause 6(1)(a), after “principal caregiver” insert “ or temporary OB or UCB caregiver”.

- 6 Clause 7 amended (GCAP: Discretionary grants)**
- (1) In clause 7(1)(b)(iii), after “principal caregiver” insert “ or temporary OB or UCB caregiver”.
- 7 Clause 8 replaced (GCAP not payable with other assistance)**
- Replace clause 8 with:
- (1) MSD must not grant GCAP in respect of an eligible child for a period if any of the following payments are being made in respect of the child for the same period:
- (a) childcare assistance under section 77 of the Act; or
- (b) assistance to pay for childcare under any other welfare programme approved under section 124(1)(d) of the Social Security Act 1964 and saved by clause 20 of Schedule 1 of the Act, or approved and established under section 101 of the Act.
- (2) MSD must not grant GCAP in respect of an eligible child for any hour where the child is receiving early childhood education under the government policy known as 20 Hours Early Childhood Education.
- (3) Despite clause 8(2), MSD must grant GCAP in respect of any hour where the eligible child is receiving early childhood education under the government policy known as 20 Hours Early Childhood Education if:
- (a) the child is attending an approved early childhood education programme provided by a licenced home-based education and care service; and
- (b) the educator requires a top-up payment to ensure their hourly rate of providing education and care in relation to the programme is covered.



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Minister for Social Development and Employment

At Tapo this 19<sup>th</sup> day of April 2024

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**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 3 June 2024, amends the Principal Programme to allow for GCAP to be paid for top-up payments charged for eligible children attending approved early childhood education programmes provided by licensed home-based education and care services that are funded under the 20 Hours Early Childhood Education policy.

The amendments also clarify that GCAP is not payable for periods where an applicant receiving childcare assistance paid under either the Act or another welfare programme for the same period, or for hours covered by 20 Hours Early Childhood Education funding. However, GCAP must be paid for hours where an eligible child's attendance in approved early childhood education programmes provided by licensed home-based education and care services is funded by 20 Hours Early Childhood Education and top-up payments are required, by educators, for their hours of attendance.

This instrument also makes a minor amendment to the criteria in clauses 6(1)(a) and 7(1)(b)(iii) to ensure, where appropriate, assistance is available to temporary Orphan's Benefit or Unsupported Child's Benefit caregivers.