

Education (Early Childhood Centres) Amendment Regulations 2005

Pursuant to section 317 of the Education Act 1989, 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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1 Title

- (1) These regulations are the Education (Early Childhood Centres) Amendment Regulations 2005.
- (2) In these regulations, the Education (Early Childhood Centres) Regulations 1998¹ are called “the principal regulations”.

2 Commencement

These regulations come into force on 1 July 2005.

¹ SR 1998/85

3 Interpretation

- (1) Regulation 2 of the principal regulations is amended by inserting, in its appropriate alphabetical order, the following definition:

“**role of providing day-to-day care for a child** has the same meaning as in section 8 of the Care of Children Act 2004”.

- (2) Regulation 2 of the principal regulations is amended by revoking the definition of **Secretary**, and substituting the following definition:

“**Secretary** means the chief executive of the department of State responsible for the administration of Part 26 of the Act”.

4 Travel arrangements

Regulation 27(2) of the principal regulations is amended by omitting the words “custody of”, in both places where they occur, and substituting in each case the words “the role of providing day-to-day care for, or custody of”.

5 Records

- (1) Regulation 35(b) of the principal regulations is amended by inserting, before the words “custody of”, the words “the role of providing day-to-day care for the child or who has”.

- (2) Regulation 35 of the principal regulations is amended by revoking paragraph (c), and substituting the following paragraph:

“(c) the place at which, or the means by which, at least 1 of the following persons may be reached while the child attends the centre:

“(i) a person who has the role of providing day-to-day care for, or custody of, the child; or

“(ii) a person nominated by a person in subparagraph (i); and”.

- (3) Regulation 35(h) of the principal regulations is amended by inserting, before the words “custody of”, the words “the role of providing day-to-day care for the child or who has”.

- (4) Regulation 35 of the principal regulations is amended by revoking paragraph (i), and substituting the following paragraph:

- “(i) the names of the people authorised, by a person who has the role of providing day-to-day care for, or custody of, the child, to collect the child and, where appropriate, people who, by law,—
- “(i) are entitled to have contact with, or access to, the child; or
 - “(ii) are forbidden to have contact with, or access to, the child; or
 - “(iii) have an entitlement to have contact with, or access to, the child that is subject to conditions.”

6 Parents’ right of entry

- (1) Regulation 40(a) of the principal regulations is amended by omitting the words “access to”, and substituting the words “contact with, or access to,”.
- (2) Regulation 40 of the principal regulations is amended by revoking paragraph (b), and substituting the following paragraph:

“(b) is, by law, entitled to have contact with, or access to, the child subject to conditions that forbid contact with, or access to, the child while the child attends the centre; or”.

Diane Morcom,
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 July 2005, amend the Education (Early Childhood Centres) Regulations 1998. The amendments update the definition of **Secretary**, and align the regulations with the Care of Children Act 2004 by adding references to “the role of providing day-to-day care for”, and “contact with”, a child.