



## **Social Security (Childcare Assistance) Amendment Regulations 2014**

Jerry Mateparae, Governor-General

### **Order in Council**

At Wellington this 21st day of January 2014

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.

### **Contents**

		Page
1	Title	2
2	Commencement	2
3	Principal regulations	2
4	Regulation 18 amended (Rate of childcare subsidy)	2
5	Regulation 24 replaced (Rate of OSCAR subsidy)	2
	24 Rate of OSCAR subsidy	2
6	Schedule 2 amended	3

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## Regulations

### 1 Title

These regulations are the Social Security (Childcare Assistance) Amendment Regulations 2014.

### 2 Commencement

These regulations come into force on 8 February 2014.

### 3 Principal regulations

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

### 4 Regulation 18 amended (Rate of childcare subsidy)

(1) Replace regulation 18(1) with:

“(1) A childcare subsidy is payable to a person at the appropriate rate stated in Schedule 1.

“(1A) However, until the close of 8 February 2015, a childcare subsidy is payable at the appropriate rate stated in Schedule 2 to a person in respect of a child if the person—

“(a) was receiving childcare assistance at any time between 27 September 2009 and 27 September 2010 (inclusive); and

“(b) before the close of 7 February 2014 received childcare assistance in respect of the child at the rate determined in accordance with Schedule 2.”

(2) In regulation 18(2), replace “Subclause (1) is” with “Subclauses (1) and (1A) are”.

### 5 Regulation 24 replaced (Rate of OSCAR subsidy)

Replace regulation 24 with:

“**24 Rate of OSCAR subsidy**

“(1) An OSCAR subsidy is payable to a person at the appropriate rate stated in Schedule 1.

“(2) However, until the close of 8 February 2015, an OSCAR subsidy is payable at the appropriate rate stated in Schedule 2 to a person in respect of a child if the person—

- “(a) was receiving childcare assistance at any time between 27 September 2009 and 27 September 2010 (inclusive); and
- “(b) before the close of 7 February 2014 received childcare assistance in respect of the child at the rate determined in accordance with Schedule 2.”

**6 Schedule 2 amended**

Replace the heading to Schedule 2 with “**Grandparented rates of childcare and OSCAR subsidies under regulations 18(1A) and 24(2)**”.

Rebecca Kitteridge,  
Clerk of the Executive Council.

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**Explanatory note**

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

These regulations, which amend the Social Security (Childcare Assistance) Regulations 2004 (the **regulations**), come into force on 8 February 2014. The regulations provide for the payment of childcare and OSCAR subsidies as childcare assistance. The rates are set out in Schedule 1 of the regulations and are graded according to income. On 27 September 2010, the income thresholds were changed. As a transitional measure, the old thresholds were retained in Schedule 2 of the regulations and applied to people who had received the subsidy on the basis of those thresholds in the 12 months before the change. The transitional measure was due to expire on 27 September 2013. It was later extended to 7 February 2014.

The amendments made by these regulations again extend the application of Schedule 2 of the regulations, to 8 February 2015. However, the rates in that schedule will not apply in respect of children for whom a subsidy at those rates has never been received.

**Social Security (Childcare Assistance)  
Amendment Regulations 2014**

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2014/7

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 23 January 2014.

These regulations are administered by the Ministry of Social Development.

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