

NOTICE

Section 96E of the *South Australian Public Health Act 2011*

Exemptions granted by the Chief Public Health Officer from specified provisions of Part 12A – Immunisation and Early Childhood Services

Additional Child Care Subsidy (child wellbeing)

I, **Professor Nicola Spurrier, Chief Public Health Officer** appointed pursuant to section 20 of the *South Australian Public Health Act 2011* (“**the SAPH Act**”), **HEREBY grant the following exemptions** pursuant to section 96E of the SAPH Act:

Section 96B(1) of the SAPH Act

1. **to the parent or guardian** of a child that is enrolled or attends at premises for the purposes of the provision of an early childhood service from the requirement in section 96B(1) of the SAPH Act to provide immunisation records relating to the child to the provider of the service, if **an individual or approved provider is eligible for the ACCS (child wellbeing) with respect to the child.**

Section 96B(3) of the SAPH Act

2. **to the provider of an early childhood service** from the requirement in section 96B(3) of the SAPH Act to take reasonable steps to ensure that the parent or guardian of a child that is enrolled or attends at premises for the purposes of the provision of early childhood services complies with the requirements in section 96B(1) of the SAPH Act, if **an individual or approved provider is eligible for the ACCS (child wellbeing) with respect to the child.**

Section 96BA(1) of the SAPH Act

3. **to a person who provides an early childhood service** from the prohibition in section 96BA(1) of the SAPH Act from enrolling a child for the provision of the service unless:
 - a. immunisation records relating to the child have been provided to the person in accordance with section 96B(1) of the SAPH Act; and

- b. the immunisation records indicate that the child meets the immunisation requirements,

if an individual or approved provider is eligible for the ACCS (child wellbeing) with respect to the child.).

Section 96BB(1) of the SAPH Act

4. **to a person who provides an early childhood service** from the prohibition in section 96BB(1) of the SAPH Act from providing an early childhood service to a child unless:

- a. immunisation records relating to the child have been provided to the person in accordance with section 96B(1) of the SAPH Act; and
- b. the immunisation records indicate that the child meets the immunisation requirements,

if an individual or approved provider is eligible for the ACCS (child wellbeing) with respect to the child.

For the purposes of this Notice of Exemption:

“ACCS (child wellbeing)” has the same meaning as the “Additional Child Care Subsidy (child wellbeing)” or the “ACCS (child wellbeing)”, as defined in section 3 of the *A New Tax System (Family Assistance) Act 1999 (Cth)*; and pursuant to Part 4A, Division 3, Subdivision A of the *A New Tax System (Family Assistance) Act 1999 (Cth)*.

“an individual or approved provider is eligible for the ACCS (child wellbeing) with respect to the child” means:

- an individual is eligible for the ACCS (child wellbeing) for a session of care provided by an approved child care service to the child pursuant to section 85CA of the *A New Tax System (Family Assistance) Act 1999 (Cth)*; or
- the approved provider of an approved child care service is eligible for ACCS (child wellbeing) for a session of care provided by the service to the child pursuant to section 85CA of the *A New Tax System (Family Assistance) Act 1999 (Cth)*.

These exemptions operate from the date of the Chief Public Health Officer signing this Notice and have effect until varied or revoked.

These exemptions may be varied or revoked at any time by the person holding or acting in the position of Chief Public Health Officer.



PROFESSOR NICOLA SPURRIER
Chief Public Health Officer

17 / 12 / 2020

