Occasional Care Service Regulation Flow Chart

NO

Does the service provide education and care on a regular basis to children under 13 years of age?

Section 5 Education and Care Services National Law (South Australia)

Example—Education and care services to which this Law applies include long day care services, family day care services, outside school hours care services and preschool programs including those delivered in schools, unless expressly excluded. (Refer to section 5(1) of the National Law and regulation 5(2) of the Education and Care Services National Regulations for classes of service excluded from the definition of education and care service)



The service is regulated as an education and care service in accordance with the Education and Care Services National Law (South Australia)

This service is in scope of the National Quality Framework

Disclaimer: This flow chart has been developed as guidance only. Please refer to the Education and Early Childhood Services (Registration and Standards)

Act 2011, the Education and Care Services National Law (South Australia) and the Education and Care Services National Regulations or seek further advice if necessary.

Does the service provide education and care to children primarily on an ad hoc or casual basis where —

(i) the service does not usually offer full-time or all day education and care to children on an ongoing basis; and(ii) most of the children provided with education and care are preschool age or under?

Regulation 5(2)(c) of the Education and Care Services National Regulations

The service is not in the scope of regulation as an occasional care service

YES

Does the service provide education and care (not being a service that is an education and care service within the meaning of the National Law) comprising the care for fee or reward in a place other than a child's home of 4 or more children of preschool age or younger?

(such a service will not be taken to be an occasional care service if a parent or guardian of the children remains on site and is available to care for their child if required)

Regulation 13 (2) of the Education and Early Childhood Services (Registration and Standards) Regulations 2011

NO

The service is not in the scope of regulation as an occasional care service



The service is an Occasional Care service is regulated under the Education and Early Childhood Services (Registration and Standards) Act as a residual early childhood service

Refer to Section 4 of the Act

A modified version of the National law applies.