

A BILL

entitled

CHILD DAY CARE ALLOWANCE AMENDMENT ACT 2023

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WHEREAS it is expedient to amend the Child Day Care Allowance Act 2008 to allow the Minister to prescribe the maximum gross annual household income in respect of an application for a child day care allowance; to provide categories of such incomes for the purpose of granting awards; and to clarify that an application for an award is based on the applicant's gross annual household income;

Be it enacted by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Child Day Care Allowance Act 2008 ("the principal Act"), may be cited as the Child Day Care Allowance Amendment Act 2023.

Amends section 2

2 The principal Act is amended in section 2 by inserting the following definitions in their proper alphabetical order—

“gross annual household income” means the total gross annual income of both—

- (a) the person who is qualified under section 4 to apply for a day care allowance; and

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(b) the supporting parent or spouse, if any;

“supporting parent or spouse” means—

- (a) the parent of a child for whom an application for a day care allowance is made, who resides with the child but is not the applicant; or
 - (b) the spouse of the applicant, who resides with the child for whom an application for a day care allowance is made but is not the child’s parent or guardian;
- ”.

Amends section 3

3 Section 3 of the principal Act is amended—

- (a) in subsection (2) by deleting “income,” and substituting “income and the name and gross annual income of any supporting parent or spouse,”;
- (b) by repealing subsection (3).

Amends section 4

4 Section 4 of the principal Act is amended—

- (a) in subsection (1)(c) by inserting after “annual” the word “household”;
- (b) by repealing subsection (2).

Amends section 7

5 Section 7(1) of the principal Act is amended—

- (a) in paragraph (a)(iii) by deleting “parent or spouse referred to in section 3(3)” and substituting “supporting parent or spouse”;
- (b) in paragraph (b) by deleting “income or the income of a parent or spouse referred to in section 3(3)” and substituting “gross annual income or the gross annual income of a supporting parent or spouse”.

Amends section 10

6 The principal Act is amended in section 10(1)(b) by inserting after “income” the words “or the gross annual income of a supporting parent or spouse”.

Amends section 17

7 The principal Act is amended in section 17(1)—

- (a) in paragraph (c) by inserting after “annual” the word “household”;
- (b) by inserting the following after paragraph (c)—

“(ca) categories of maximum gross annual household incomes within which maximum awards may be payable;”.

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Commencement

8 This Act comes into operation on such day as the Minister appoints by notice published in the Gazette.

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EXPLANATORY MEMORANDUM

This Bill seeks to amend the Child Day Care Allowance Act 2008 (“the principal Act”) to allow the Minister to prescribe the maximum gross annual household income in respect of an application for a child day care allowance; to provide categories of such incomes for the purpose of granting awards; and to clarify that an application for an award is based on the applicant’s gross annual household income.

Clause 1 is self-explanatory.

Clause 2 amends section 2 (“Interpretation”) of the principal Act by defining “gross annual household income” and “supporting parent or spouse”.

Clauses 3, 5 and 6 amend the principal Act in section 3 (“Application for day care allowance”), section 7 (“Conditions applicable to award”), and section 10 (“Powers of Director”) to clarify those provisions in relation to the gross annual income of an applicant.

Clause 4 amends the principal Act in section 4 (“Qualified persons”) to provide that a person is qualified to apply for a day care allowance based on a gross annual household income not exceeding the maximum prescribed amount rather than a gross annual income not exceeding the maximum prescribed amount.

Clause 7 amends section 17 (“Regulations”) of the principal Act to allow the Minister to prescribe the maximum gross annual household income (not the maximum gross annual income); and to prescribe categories of such incomes for the purpose of granting a maximum award within each category.

Clause 8 provides for this Act to come into operation by notice published in the Gazette.