



It is a requirement of the family assistance law that the operator of an approved child care service notify the Secretary of the Department of Education, Employment and Workplace Relations (DEEWR) of their decision to cease operating a service. This includes closure, sale or transfer of ownership.

Notice must be given in writing 42 days or more before ceasing to operate. Where a service closes due to circumstances beyond the operator's control (eg. bankruptcy or state licensing issues) and the operator is unable to give at least 42 days notice, the operator must notify DEEWR as soon as the decision to close is made. Failure to meet this requirement is a criminal offence. Civil penalties may also apply.

The letter template for notifying when closing, selling or transferring ownership provides the format that **MUST** be used to notify of your decision to cease operating an approved child care service. The letter should be received by your state or territory office of DEEWR at least 42 days prior to you ceasing to operate an approved child care service. Addresses for each state and territory office are attached to the letter template.

Where a service closes suddenly, due to unforeseen circumstances, the operator must immediately notify their state or territory office by telephone on 13 36 84, and follow with written notification.

Note: It is important that the departing operator inform parents in writing of their decision to cease operating a child care service. In all circumstances the notice should include the Child Care Access Hotline number in the event they wish to seek alternate child care. The Child Care Access Hotline number is 1800 670 305.

You should note that should you cease to operate an approved child care service, you will have continuing obligations under the *A New Tax System (Family Assistance) (Administration) Act 1999* (the Act). As a person previously operating the approved child care service you must, in accordance with section 219G of the Act, keep the records that the service was required to keep under section 219F of the Act. You must notify DEEWR where the records are kept within 14 days after you cease to operate the service. Failure to comply with these requirements is also a criminal offence and carries civil penalties.

Preparing notification letter

The letter template to notify DEEWR when closing, selling or transferring ownership or management of a service can be found under *Forms* at www.deewr.gov.au/EarlyChildhood/Resources/Pages/home.

It can also be obtained by contacting the Child Care Benefit Approvals Team in your state or territory office on 13 36 84.