

Table of Contents

1	Citation
2	Definitions
	Act — Loi
	full-time assistance — assistance à temps plein
	full-time early learning and childcare centre — garderie éducative à temps plein
	household — ménage
	income — revenu
	part-time assistance — assistance à temps partiel
	part-time early learning and childcare centre — garderie éducative à temps partiel
3	Subsidies
4	Commencement

Under section 63 of the *Early Childhood Services Act*, the Lieutenant-Governor in Council makes the following Regulation:

Citation

1 This Regulation may be cited as the *Childcare Subsidies Regulation – Early Childhood Services Act*.

Definitions

2 The following definitions apply in this Regulation.

“Act” means the *Early Childhood Services Act*. (*Loi*)

“full-time assistance” means assistance for a child who receives services at a facility for four hours or more each day. (*assistance à temps plein*)

“full-time early learning and childcare centre” means a full-time early learning and childcare centre as defined in the *Licensing Regulation* under the *Early Childhood Services Act*. (*garderie éducative à temps plein*)

“household” means a parent and, if applicable, the spouse of the parent or a person cohabiting as the spouse of the parent. (*ménage*)

“income” means

- (a) in relation to a base taxation year, a person’s income for that base taxation year, and
- (b) in relation to a current year, a person’s estimated income for the current year calculated in a manner approved by the Minister. (*revenu*)

“part-time assistance” means assistance for a child who receives services at a facility for more than two hours each day and less than four hours each day. (*assistance à temps partiel*)

“part-time early learning and childcare centre” means a part-time early learning and childcare centre as defined in the *Licensing Regulation* under the *Early Childhood Services Act*. (*garderie éducative à temps partiel*)

Subsidies

3(1) For the purposes of subsection 46(3) of the Act, a parent is eligible to receive assistance

- (a) if the income of the household is equal to or less than the threshold set by the Minister,

(b) if each person in the household

(i) is employed or self-employed,

(ii) is attending an educational institution,

(iii) is in receipt of assistance under the *Family Income Security Act* and is seeking employment or participating in an employment-related program, or

(iv) is unable to care for the child for medical reasons,

(c) if the parent is a resident of New Brunswick, and

(d) if the parent is a Canadian citizen, a permanent resident within the meaning of the *Immigration and Refugee Protection Act* (Canada) or a protected person within the meaning of that Act.

3(2) If a parent is eligible to receive assistance and each member of the household meets the criteria under subparagraph (1)(b)(iii), the parent shall only be eligible to receive assistance for a total of six months.

3(3) Paragraph (1)(b) does not apply if a child is referred to the Minister by an agency approved by the Minister or by the Minister of Families and Children.

3(4) An application for assistance may be made once a year or within the time that the Minister determines.

3(5) For the purposes of section 47 of the Act, the documents include the following:

(a) a document that verifies that the child is registered at a licensed facility, a facility that is subject to an interim permit, or a facility described in subsection 4(2) of the Act;

(b) a copy of the personal income tax return of each member of the household for the most recent taxation year, a statement of earnings, or any other document that verifies the income, if applicable;

(c) a copy of the registration at an educational institution of each member of the household, if applicable;

(d) a document that verifies the hours of work or hours of instruction at an educational institution of each member of the household, if applicable;

(e) a document that verifies that each member of the household is receiving assistance under the *Family Income Security Act*, if applicable;

(f) a document that verifies that the parent is a Canadian citizen or a permanent resident within the meaning of the *Immigration and Refugee Protection Act* (Canada) or a protected person within the meaning of that Act; and

(g) a copy of the child's birth certificate or any other document that verifies the custody or guardianship of the child.

3(6) The Minister shall establish the amount of assistance for each child based on the following criteria:

(a) if the parent is eligible for part-time or full-time assistance;

(b) if the facility is a licensed facility, a facility with an interim permit, or a facility described in subsection 4(2) of the Act;

(c) the income of the household; and

(d) in the case of a facility described in subsection 4(2) of the Act, the members of the household, the number of other persons living with the members of the household and the number of children who will receive services at the facility.

3(7) Despite subsection (6), if a child is referred to the Minister by an agency approved by the Minister or by the Minister of Family and Children, the Minister shall establish the amount of assistance for each child based on the following criteria:

- (a) if the parent is eligible for part-time or full-time assistance;
- (b) if the facility is a licensed facility or a facility with an interim permit;
- (c) the parent's ability to transport the child to the facility; and
- (d) the income of the household.

3(8) The operator shall complete an invoice on a form provided by the Minister and shall submit the invoice to the Minister each month or within the time that the Minister determines.

3(9) Any adjustments to the invoice shall be submitted to the Minister on a form provided by the Minister within 90 days after the completion of the services being provided.

3(10) The operator shall notify the Minister within five days after either of the following events:

- (a) a change occurs that may affect a parent's eligibility for assistance or the amount of assistance; or
- (b) a child for whom a parent receives assistance is absent from the facility for more than three consecutive days or more than 12 days in a month.

3(11) For the purposes of subsection 49(2) of the Act, the records and documents are as follows:

- (a) the invoices referred to in subsection (8);
- (b) attendance records;
- (c) notification forms provided by the Minister;
- (d) termination forms provided by the Minister; and
- (e) records of the fees charged to parents by the operator.

Commencement

4 *This Regulation comes into force on February 1, 2018.*