

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

CHILDCARE REBATE BILL 1993

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendment to be moved  
on behalf of the Government

(Circulated by the authority of the Minister for Family  
Services, Senator the Honourable Rosemary Crowley)



**CHILDCARE REBATE BILL 1993**  
**SUPPLEMENTARY EXPLANATORY MEMORANDUM**

**GENERAL OUTLINE**

The amendment to this Bill is to address a specific concern raised by the Senate Standing Committee for the Scrutiny of Bills.

The matter relates to the treatment of false or misleading statements. The effect of the amendment is to require the prosecution to prove that an offence has been committed, rather than have the onus of proof reversed whereby the defendant is required to prove ignorance or that knowledge could not reasonably be expected.

**FINANCIAL IMPACT STATEMENT**

This amendment has no financial impact.

**CHILDCARE REBATE BILL 1993  
SUPPLEMENTARY EXPLANATORY MEMORANDUM**

**NOTES ON AMENDMENT**

This amendment omits Clause 60 on advice from the Senate Committee for the Scrutiny of Bills as it created a strict liability offence which was not warranted under these circumstances. Clause 61, which places the onus of proof on the prosecution in cases of knowingly providing false or misleading information, is retained.

