**OUTSIDE SCHOOL HOURS CARE (OSHC)**

**COMPLIANCE MONITORING CHECKLIST**

***Education and Care Services National Law (Western Australia******)[[1]](#footnote-1)* and**

***Education and Care Services National Regulations 2012***

Name of Service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Service Approval no: **SE-**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If on a school site – name of the school \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nominated Supervisor (NS) / Responsible Person (RP): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authorised Officer (AO): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authorised Officer (AO): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

| **Law/**  **Reg** | **Item** | **Yes** | **No** | **Not Determined** | **Comments** |
| --- | --- | --- | --- | --- | --- |
|  | Are the spaces being used by the service reflective of those that have been approved on the plans?  Are the approved spaces exclusively accessible to the service?  N.B. This can be checked back at the office |  |  |  |  |
|  | ***HYGIENE AND SAFE FOOD*** |  |  |  |  |
| **R.77**  *CD - AP*  *INF – AP, NS* | **Health, hygiene and safe food practices**   1. Does the service ensure the NS, staff members and volunteers implement: 2. adequate health and hygiene practices; and 3. safe practices for handling, preparing and storing food |  |  |  |  |
| **R.78**  *CD - AP* | **Food and beverages**  Does the service ensure children:   1. have access to safe drinking water at all times. 2. are offered food and beverages on a regular basis throughout the day. |  |  |  |  |
| **R.80**  *CD – AP*  *INF – AP, NS* | **Weekly menu**  If the service provides food and beverages other than water, is the menu:   1. displayed at the service at a place accessible to families? 2. Does it accurately describe the food being provided each day? |  |  |  |  |
|  | ***SAFETY, HEALTH & WELLBEING*** |  |  |  |  |
| **R.84C**  *CD – AP* | **Risk assessment for purposes of sleep and rest policies and procedures**  Has a sleep and rest risk assessment been conducted within the last 12 months?  Does the risk assessment consider:  (2) A risk assessment must consider the following —  (a) the number, ages and developmental stages of children  (b) the sleep and rest needs of children (including health care needs, cultural preferences, sleep and rest needs of individual children and requests from families about a child’s sleep and rest)  (c) the suitability of staffing arrangements to adequately supervise and monitor children during sleep and rest periods;  (d) the level of knowledge and training of staff supervising children during sleep and rest periods;  (e) the location of sleep and rest areas, including the arrangement of cots and beds within the sleep and rest areas  (f) the safety and suitability of any cots, beds and bedding equipment, having regard to the ages and developmental stages of the children who will use the cots, bed and bedding equipment;  (g) any potential hazards —  (i) in sleep and rest areas; or  (ii) on a child during sleep and rest periods;  (h) the physical safety and suitability of sleep and rest environments (including temperature, lighting and ventilation) |  |  |  |  |
| **S.165** | **Offence to inadequately supervise children.**  Does the service have processes in place to ensure that all children being educated and cared for by the service are adequately supervised at all times that the children are in the care?  i.e., Supervision condition, policies, plans, risk assessments. Environment (blind spots). Individual needs of children. |  |  |  |  |
| **S.167** | **Offences relating to protection of children from harm and hazards.**  Does the service have processes in place to ensure every reasonable precaution is taken to protect children from harm and hazard?  Consider:  OH&S checks   * Hot surfaces (use heat gun to check – record temperature & take photo) * hot liquids (what is their process/how is this managed) * Storage of chemicals * Child safe environment policy * Water hazards |  |  |  |  |
| **R.89**  *CD - AP*  *INF – AP, NS* | **First aid kits**  Are there an appropriate number of accessible first aid kits that are:   * suitably equipped. * easily recognisable * readily accessible to adults |  |  |  |  |
|  | ***BUILDING/FACILITIES*** |  |  |  |  |
| **R.103**  *CD - AP* | **Premises, furniture and equipment to be safe, clean and in good repair.**  Are the premises, furniture and equipment safe, clean and in good repair? |  |  |  |  |
| **R.105**  *CD – AP* | **Furniture, materials and equipment**  Is there sufficient furniture, materials and developmentally appropriate equipment for children? |  |  |  |  |
| **R.114**  *CD – AP* | **Outdoor space – shade**  Does the outdoor space include adequate shaded areas? |  |  |  |  |
| **R.115**  *CD - AP* | **Premises designed to facilitate supervision.**  Are the service premises (including toilets) designed in a way that:   * facilitates supervision of children at all times * maintain the rights and dignity of the children   Is a toilet supervision condition in effect or should it be recommended? |  |  |  |  |
|  | ***STAFFING*** |  |  |  |  |
| **R.136**  *CD - AP* | **First aid qualifications**  Does at least one Educator or Nominated Supervisor present at the service (or any place education and care is being provided) hold:   * an ACECQA approved first aid qualification. * completed approved emergency asthma management training. * completed approved anaphylaxis management training.   AO sighted qualifications for at least the opening and closing staff on the day of the visit. |  |  |  |  |
| **R. 117A** | **Placing a person in day-to-day charge**  Has the person consented to the placement in writing? |  |  |  |  |
| **R. 117B** | Has the AP or NS assessed the minimum requirements for the person in day-to-day charge?  (a) the person has attained the age of 18 years; and (b) the approved provider or nominated supervisor (as the case requires) — (i) has had regard to the matters set out in subregulation (2); and (ii) has taken reasonable steps to ensure that the person has adequate knowledge and understanding of the provision of education and care to children and an ability to effectively supervise and manage an education and care service.  (2) (a) the person’s history of compliance with the Law and  (b) any decision under the Law to refuse, suspend or cancel. |  |  |  |  |
|  | ***PRESCRIBED INFORMATION/RECORDS*** |  |  |  |  |
| **R.150** | **Records of responsible persons**  Does the staff record include the name of the responsible person at the service for each time that children are being educated and cared for? |  |  |  |  |
| **R.151** | **Record of educators working directly with children**  Is there a record of educators working directly with children including the name and hours for each educator? (including all breaks and other tasks such as non-contact tasks)  Ensure record reflects observed staffing arrangements. |  |  |  |  |
| **S.172**  *INF – AP* | **Prescribed information to be displayed as per Regulation 173**  Is this information visible from the main entrance?   * Approved Provider: * name * provider number * conditions * Approved Service * name * service number * conditions * name(s) of nominated supervisor(s) * current ratings for each Quality Area in the National Quality Standard and overall rating of the service. * any temporary or service waivers granted – including duration. * centre’s hours and days of operation * name and phone number of the person to be contacted to receive a complaint. * name and position of the responsible person in charge at any given time * name of the educational leader * contact details for the Regulatory Authority. * if applicable a notice stating that a child at risk of anaphylaxis is enrolled at the service * if applicable a notice of an occurrence of an infectious disease at the service. |  |  |  |  |
| **R. 180** | **(2) Evidence of prescribed insurance**  Evidence of the current prescribed insurance including public liability is available at the premises. |  |  |  |  |
| **S. 175** | **Offence relating to requirement to keep enrolment records and other documents.**   * Are prescribed records (as per R.177) available for inspection by AO?   + Must, to the extent practicable, be kept at the premises, if relation to operation of service, staff, children.   + In any other case, must be kept in a place/manner that is readily accessible to AO.   **Regulation 177 (1)**  For the purposes of section 175(1) of the Law, the following documents are prescribed  — (a) the documentation of child assessments or evaluations for delivery of the program; (b) an incident, injury, trauma and illness record;  (c) a medication record; (da) a record of a decision about a child, that affects educator to child ratios, made under regulation 123(7) (transition of children); (e) a staff record; (f) a record of volunteers and students; (g) the records of the responsible person at the service; (h) a record of educators working directly with children; (i) a record of access to early childhood teachers; (k) a children’s attendance record; (l) child enrolment records; (m) a record of the service’s compliance with the Law as set out in regulation 167 (details of amendments, suspension of service approval, compliance directions or compliance notices except those currently under review); (n) a record of each nominated supervisor and any person in day-to-day charge of the education and care service; (o) (where regular transportation occurs) a record of children embarking a means of transport at the education and care service premises  (p) a record of children disembarking a means of transport at the education and care service premises |  |  |  |  |
| **R.162** | **Health information to be kept in enrolment record. (as pertains to children’s medical conditions and dietary requirements)**  (c) details of any –  (i) specific healthcare needs of the child, including any medical condition; and  (ii) allergies, including whether the child has been diagnosed as at risk of anaphylaxis; and  (d) any medical management plan, anaphylaxis medical management plan or risk minimisation plan to be followed with respect to a specific healthcare need, medical condition or allergy referred to in paragraph (c) and  (e) details of any dietary restrictions for the child. |  |  |  |  |
|  | ***POLICIES & PROCEDURES*** |  |  |  |  |
| **R.90**  **(1)(c)** | **Medical conditions policy**  Does this policy include details about:  (1)(c)(i) (ii) a medical management plan provided by parent to be followed in the event of an incident.  (iii) risk minimisation plan in consultation with the parents developed; and  (iv) a communications plan developed. |  |  |  |  |
| **R.97**  *R.97 (2), (2A), (3), (4)*  *CD - AP*  *R.97(4)*  *INF - AP* | **Emergency evacuation procedures**  The service must:   1. have developed a risk assessment identifying potential emergencies relevant to the service. 2. rehearses emergency and evacuation procedures at least every three months.   (3b) rehearsals are documented.   1. both the emergency and evacuation floor plan and instructions are displayed in a prominent position near each identified emergency exit   **Please note:** if documented rehearsal records are not available at the visit, please request these to be provided as they are not prescribed records which must be available at the visit. |  |  |  |  |
| **R.171**  *CD – AP* | **Policies and procedures as per R.168 to be kept available.**  Are current policies and procedures readily available to parents/ guardians/ nominated supervisors/ staff/ and volunteers at the service?  **List of policies**:  (a) health and safety, including matters relating to —  (i) nutrition, food and beverages, dietary requirements; and  (ii) sun protection; and  (iii) water safety, including safety during any water‑based activities; and  (iv) the administration of first aid; and  (v) sleep and rest for children including the matters set out in regulation 84B; 84B. Sleep and rest policies and procedures The sleep and rest policies and procedures required under regulation 168(2)(a)(v) must address —  (a) how children will be protected from any risks identified in a risk assessment conducted under regulation 84C; and  (b) how the sleep and rest needs of children being educated and cared for by the service are met, including how the ages, developmental stages and the sleep and rest needs of individual children are considered; and  (c) how the health care needs of individual children being educated and cared for by the service are met; and  (d) how requests from families about a child’s sleep and rest and cultural preferences are considered; and  (e) supervision and monitoring during sleep and rest periods, including —  (i) the method and frequency of checking the safety, health and wellbeing of children during sleep and rest periods; and  (ii) the documentation of sleep and rest periods;  and  (f) how the sleep and rest practices at the service are consistent with any current health guidelines on the best practices to adopt to ensure the safety of children during sleep and rest; and  (g) the induction, training and knowledge of staff who educate and care for children at the service in relation to best practices for children’s sleep and rest; and  (h) the location and arrangement of sleep and rest areas at the service and how this meets the sleep and rest needs of children being educated and cared for by the service; and  (i) safety and suitability of cots, bedding and bedding equipment, having regard to the ages and developmental stages of children who will use the cots, bedding and bedding equipment; and  (j) management of potential hazards —  (i) in sleep and rest areas; and  (ii) on a child during sleep and rest periods;  and  (k) management of physical safety and suitability of sleep and rest environments (including temperature, lighting and ventilation); and  (l) in the case of a family day care service that provides overnight care, management of risks relating to overnight care at each family day care residence or approved family day care venue of the service; and  (m) communication of the sleep and rest policies and procedures to a parent or family member  (b) incident, injury, trauma and illness procedures complying with regulation 85;   * must include procedures to be followed by nominated supervisors and staff members of, and volunteers at, the service in the event that a child — (i) is injured; or (ii) becomes ill; or (iii) suffers a trauma.   (c) dealing with infectious diseases, including procedures complying with regulation 88;   * reasonable steps are taken to prevent the spread of the infectious disease at the service. * the service must ensure that a parent or an authorised emergency contact of each child being educated and cared for by the service is notified of the occurrence as soon as practicable.   (d) dealing with medical conditions in children  (e) emergency and evacuation including the matters set out in R.97 (above)  (f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with S.165A   * children may be delivered/collect by: the child’s parents, an authorised nominee, or a person authorised by one of these people. * A child may leave the premises for: an excursion, to receive medical hospital or ambulance care or because of another emergency.   (g) excursions, including procedures complying with regulations 100 to 102 (below)  (ga) if the service transports or arranges transportation of children other than as part of excursions, transportation including procedures complying with Chapter 4 Part 4.2 Division 7 (below);  (gb) the safe arrival of children who travel between an education and care service and any other education or early childhood service within the meaning of regulation 102AA, including the matters set out in regulation 102AAB;  (h) providing a child safe environment, including matters relating to —  (i) the promotion of a culture of child safety and wellbeing within the service; and  (ii) the safe use of online environments at the service;  (i) staffing, including —  (i) a code of conduct for staff members; and  (ii) determining the responsible person present at the service; and  (iii ) the participation of volunteers and students on practicum placements;  (j) interactions with children, including the matters set out in regs 155 and 156;   * Children (R.155): * are encouraged to express themselves and their opinions; and * are allowed to undertake experiences that develop self-reliance and self-esteem; and * dignity and rights are maintained at all times and * (R.156) * are given positive guidance and encouragement toward acceptable behaviour; and * family and cultural values, age, and physical and intellectual development and abilities is considered. * Children are given opportunities to interact and develop respectful and positive relationships with each other and with staff members of, and volunteers at, the service, with regard to the size and the composition of the groups.   (k) enrolment and orientation;  (l) governance and management of the service, including confidentiality of records;  (m) the acceptance and refusal of authorisations;  (n) payment of fees and provision of a statement of fees charged by the education and care service;  (o) dealing with complaints.   1. the provision of a complaint handling system at the service that is child focused; and 2. the management of a complaint that alleges a child is exhibiting harmful sexual behaviours. |  |  |  |  |
| **S.51(8)** | Are the conditions on the service approval being followed?   * If not, collect evidence of this and record a breach under S51(8) |  |  |  |  |
|  | ***EXCURSIONS*** |  |  |  |  |
| **R.100** | **Risk assessment must be conducted before excursion – Conduct of risk assessment for excursion** |  |  |  |  |
| 1. Does the service conduct excursions or regular outings? |  |  |  | If YES move to the next question  If NO move to next section |
| 1. If the service does conduct excursions or regular outings:   The service must carry out a risk assessment in accordance with **R.101** before seeking authorisation for an excursion. The risk assessment must-   * Identify any risks to health/safety of children and identify how they will be managed and minimised. * Consider as part of the assessment- * route and destination * water based risks and hazards. * transport to-from * the means of transport * any requirements for seatbelts or safety restraints under WA law * the process for entering and exiting the service premises and the pick-up locations or destination. * procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking. * number of adults/children * given the risks, the number of educators or other adults required to provide supervision. * are adults with special skills required? * proposed activities. * duration of excursion * items/equipment required. * a risk assessment for a regular outing was prepared not more than 12 months ago.   Review a completed risk assessment for the most recent excursion/regular outing. |  |  |  |  |
| **R.102** | **Authorisation for excursions**  Written authorisations have been gained for all excursions (including regular outings) which include the following information:  (4)(a) the child’s name.  (b) the reason the child is being taken from the premises.  (c) if for a regular outing a description of when the child will be taken on regular outings  (ca) the date of the excursion  (d) a description of the proposed destination  (e)(i) the means of transport  (e)(ii) any requirements for seatbelts or safety restraints under WA law  (f) proposed activities.  (g) the period the child will be away from the premises.  (h) anticipated no of children attending.  (i) anticipated ratio of educators attending  (j) anticipated no of staff and any other adults accompanying and supervising  (k) that a risk assessment has been prepared and is available at the service  *Please note: This does not include school runs as this is considered transportation rather than an excursion.* |  |  |  |  |
|  | ***SAFE ARRIVAL OF CHILDREN*** |  |  |  | Travel indicates the movement of the child as opposed to transportation that includes children walking from class to an OSHC Service for example |
| **R.102AA** | **Does the service collect the children from school or another education and care service?** |  |  |  | If YES move to next question  If NO move to move to next section |
| **R.102AAC** | **Risk assessment for the purposes of safe arrival of children policies and procedures** (1) For the purposes of preparing the safe arrival of children policies and procedures under regulation 102AAB(1), the approved provider of an education and care service must ensure that a risk assessment is conducted in accordance with this regulation.  (2) The approved provider must conduct a risk assessment — (a) at least once every 12 months; and (b) as soon as practicable after becoming aware of any circumstance that may affect the safe arrival of children travelling between an education and care service and any other education or early childhood service.  (3) A risk assessment must — (a) identify and assess any risks that a child’s travel between an education and care service and any other education or early childhood service may pose to the safety, health or wellbeing of the child; and (b) specify how the identified risks will be managed and minimised.  (4) Without limiting subregulation (3), a risk assessment must consider the following, in respect of a child who travels between an education and care service and any other education or early childhood service — (a) the age, developmental stage and individual needs of the child; (b) the role and responsibilities of the following persons (if applicable) — (i) in the case of a child who leaves the service premises to travel to an education and care service premises of another education and care service — the nominated supervisor of each service; (ii) the child’s parent; (iii) an authorised nominee named in the child’s enrolment record; (iv) a person authorised by — (a) the child’s parent; or (b) an authorised nominee named in the child’s enrolment record; (c) the role and responsibilities of the service the care of which the child is entering or leaving; (d) the communication arrangements between the service the child is leaving and the service the child is entering, including any communication arrangements if the child is missing or cannot be accounted for during the child’s travel; (e) the procedure to be followed by the service if the service has identified that the child is missing or cannot be accounted for during the child’s travel; (f) given the risks posed by the child’s travel, the number of educators or other responsible adults that are appropriate to provide supervision; (g) the proposed route and destination, including any proximity to harm and hazards; (h) the process for entering and exiting — (i) the service premises; and (ii) the pick-up location or destination (as required); (i) the procedure to be followed by the service to ensure the child leaves the service premises in accordance with section 165A(4)(b) of the Law as applying in Western Australia.  (5) If, after conducting a risk assessment, a risk relating to a child’s travel is identified, the approved provider must make any necessary updates to the safe arrival of children policies and procedures as soon as practicable.  (6) The approved provider must keep a record of each risk assessment conducted under this regulation. |  |  |  |  |
|  | ***TRANSPORT*** |  |  |  | Transport does not include walking transportation.  Transport is for REGULAR transport NOT for an excursion |
| **R.102B** | **Does the service provide regular transportation for children?** |  |  |  | If YES move to next question  If NO checklist is completed |
|  | * a risk assessment for a regular transportation of a child was prepared not more than 12 months ago. |  |  |  |  |
| **R.102C**  *CD - AP* | **Has the service conducted a risk assessment for transporting of children by education and care service?**  A risk assessment must consider:  (a) the proposed route and duration of the transportation; and  (b) the proposed pick‑up location and destination; and  (c) the means of transport; and  (d) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and  (e) any water hazards; and  (f) the number of adults and children involved in the transportation; and  (g) given the risks posed by transportation, the number of educators or other responsible adults that is appropriate to provide supervision and whether any adults with specialised skills are required; and  (h) whether any items should be readily available during transportation; and  Example for this paragraph:  A mobile phone and a list of emergency contact numbers for the children being transported.  (i) the process for entering and exiting —  (i) the education and care service premises; and  (ii) the pick‑up location or destination (as required);  and  (j) procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking. |  |  |  |  |
| **R.102D** | **Authorisation for service to transport children.**  The authorisation must be given by a parent, or other person named in the child’s enrolment record as having authority given by a parent to authorise the child being transported by the service or on transportation arranged by the service, and must state:  (a) the child’s name; and  (b) the reason the child is to be transported;  and  (c) if the authorisation is for regular transportation, a description of when the child is to be transported; and  (d) if the authorisation is not for regular transportation, the date the child is to be transported; and  (e) a description of the proposed pick‑up location and destination; and  (f) the means of transport; and  (g) the period of time during which the child is to be transported; and  (h) the anticipated number of children likely to be transported; and  (i) the anticipated number of staff members and any other adults who will accompany and supervise the children during the transportation; and  (j) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and  (k) that a risk assessment has been prepared and is available at the education and care service; and  (l) that written policies and procedures for transporting children are available at the education and care service.   * If the transportation is regular transportation, the authorisation is only required to be obtained once in a 12-month period. |  |  |  |  |
| **R.102E** | **Children embarking a means of transport — centre‑based service.**  The service must ensure the requirements are complied with:  (4)(a) a staff member or nominated supervisor of the service, who is not driving the means of transport, is present when the children embark the means of transport at the education and care service premises; and  (b) each child embarking the means of transport at the education and care service premises is accounted for by the person referred to in paragraph (a); and  (c) immediately after all the children have embarked the means of transport at the education and care service premises, a record is made that —  (i) confirms each child referred to in paragraph (b) has been accounted for; and  (ii) states how each child referred to in paragraph (b) has been accounted for; and  (iii) states the date and time the record is made; and  (iv) states the name of, and is signed by, the person referred to in paragraph (a).  (5) Nothing in this regulation prevents the person referred to in subregulation (4)(a) from being counted as an educator in calculating the educator to child ratio of the service under Chapter 4 Part 4.4 Division 3. |  |  |  |  |
| **R.102F** | **Children disembarking a means of transport — centre‑based service.**  The service must ensure the requirements are complied with:  (4)(a) a staff member or nominated supervisor of the service, who is not driving the means of transport, is present when the children disembark the means of transport at the education and care service premises; and  (b) each child disembarking the means of transport at the education and care service premises is accounted for by the person referred to in paragraph (a); and  (c) the person referred to in paragraph (a) examines the interior of the means of transport to confirm no children remain on the means of transport; and  (d) immediately after all the children have disembarked the means of transport at the education and care service premises, a record is made that —  (i) confirms each child referred to in paragraph (b) has been accounted for; and  (ii) states how each child referred to in paragraph (b) has been accounted for; and  (iii) states the examination referred to in paragraph (c) has been carried out; and  (iv) states the date and time the record is made; and  (v) states the name of, and is signed by, the person referred to in paragraph (a).  (5) Nothing in this regulation prevents the person referred to in subregulation (4)(a) from being counted as an educator in calculating the educator to child ratio of the service under Chapter 4 Part 4.4 Division 3. |  |  |  |  |

**Comments/Discussion:**

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1. This is the Schedule of the *Education and Care Services National Law (WA) Act 2012,* per section 4 of the Act. [↑](#footnote-ref-1)