

1960/167



THE CHILD CARE CENTRE REGULATIONS 1960

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 7th day of November 1960

Present:

THE RIGHT HON. W. NASH, C.H., PRESIDING IN COUNCIL

PURSUANT to the Child Welfare Act 1925, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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PART I—PRELIMINARY

1. Title and commencement—(1) These regulations may be cited as the Child Care Centre Regulations 1960.

(2) These regulations shall come into force on the 1st day of March 1961.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Child Welfare Act 1925:

“Adult staff member” means any person who has attained the age of 17 years and who takes part, whether for payment or otherwise, in the care of children attending a child care centre, and shall include the licensee where that person takes active part in the care of the children:

“Child care centre” means any premises which are or purport to be mainly for the care of three or more children under the age of seven years by the day or for part of the day or for any period of less than eight consecutive days, whether for reward or not; but does not include—

(a) Any premises in which children are placed pursuant to section 20 of the Act:

(b) Any children’s home registered under Part I of the Child Welfare Amendment Act 1927:

(c) Any premises licensed as a foster home under Part V of the Infants Act 1908:

(d) Any registered school within the meaning of the Education Act 1914 (whether or not residential accommodation is provided for children):

(e) Any free kindergarten recognised by the Minister of Education:

(f) Any nursery play centre recognised by the Director of Education:

(g) Any licensed private hospital:

(h) Any institution under the control of the Department of Health or of a Hospital Board:

(i) Any separate institution within the meaning of the Hospitals Act 1957:

(j) Any institution within the meaning of the Mental Health Act 1911:

(k) Any premises in which all the children are members of the one family or are in the care of a relative:

“Child Welfare Officer” means any person appointed by the Minister of Education, by notice in the *Gazette*, as a Child Welfare Officer for the purposes of the Act:

“Licensee” means the person named in the licence issued in respect of the registration under these regulations of any child care centre, as being the person responsible for the control of that centre:

“Local authority” means a City Council, Borough Council, County Council, Town Council, or Road Board:

“Premises” includes any building, enclosure, ground, or open-air space:

“Relative”, in relation to any child, means a parent, grandparent, brother, sister, or uncle or aunt (whether by consanguinity or affinity); and, in relation to an illegitimate child, includes a person who would be so related if the child was legitimate:

“Superintendent” means the Superintendent of the Child Welfare Division of the Department of Education; and includes any Child Welfare Officer to whom any powers or functions are for the time being delegated by the Superintendent under regulation 32 of these regulations.

PART II—REGISTRATION

3. Child care centres to be registered—(1) After the 31st day of March 1961 no premises shall be used as a child care centre except under the authority and in accordance with the terms of a licence issued by the Superintendent.

(2) Where any premises were being used as a child care centre immediately before the commencement of these regulations and, at any time before the 1st day of April 1961, application is duly made for the registration of those premises under these regulations and that application has not been decided before that date, then, pending the decision of the Superintendent on the application, or in the case of an appeal against that decision until the determination of the appeal, those premises shall be deemed to be registered and the proposed licensee shall be deemed to be the holder of a licence under these regulations in respect of those premises.

(3) If any premises are used as a child care centre in breach of this regulation, the occupier thereof and every person concerned in the management of the centre shall be deemed to have committed an offence against these regulations and shall be severally liable accordingly.

4. Applications for registration—(1) Every application for registration of any premises as a child care centre under these regulations shall be made in writing to the Superintendent on a form to be provided by him.

(2) Every such application shall state the full name and the age of the proposed licensee. The licensee must not be under the age of 21 years.

(3) Every such application shall incorporate or be accompanied by a floor plan of the premises showing their dimensions and clearly indicating thereon the uses to which each part will be put.

(4) Every such application shall state:

(a) The full name of the person who is to be in charge of the children attending the centre:

(b) The maximum number of children proposed to be received into the centre at any time:

(c) Whether it is proposed that the children to be received into the centre shall belong to any specified age group or other special group or category:

(d) The hours and days or occasions during or upon which it is proposed that the centre shall be open:

(e) Whether it is proposed to prepare and serve meals to children attending the centre:

(f) The minimum number of adult staff members who it is proposed shall be on duty at the centre during the hours when children are present:

- (g) In the case of an application for Class A registration as provided in subclause (1) of regulation 6 of these regulations, the recognised qualification in respect of which that class of registration is sought, and the name or names of the staff member or members who hold such qualification.

5. Registration—(1) The Superintendent may, on receiving any application for the registration of a child care centre, require the applicant to produce evidence satisfactory to the Superintendent concerning the character, temperament, and suitability for the care of children of any person who is to be engaged in caring for the children attending the centre; and, within 30 days of receipt of the application, or the production of the evidence, whichever is the later, the Superintendent shall either grant or refuse the application for registration.

(2) If the Superintendent is satisfied in respect of any application for registration of a child care centre—

- (a) That the premises and equipment conform to the standards required under Part III of these regulations and are generally suitable for the purposes of a child care centre;
- (b) That the staffing and the standard of care in the centre are likely to conform to the standards required under Part III of these regulations; and
- (c) That the person to be placed in charge of the children attending the centre is a suitable person to care for children,—
- he shall then, but not otherwise, register that child care centre.

6. Classes of registration—(1) Every child care centre which is granted registration under the provisions of regulation 5 of these regulations shall be registered in one of the following classes—

- (a) Class A, where the centre conforms with the requirements of these regulations and in addition has at least one adult staff member holding a recognised training qualification:
- (b) Class B, where the centre conforms with the requirements of these regulations but has no adult staff member holding a recognised training qualification.
- (2) The following training qualifications shall be recognised for the purposes of subclause (1) of this regulation—
- (a) A primary school teacher's certificate issued in New Zealand by the Director of Education:
- (b) A diploma issued by the New Zealand Free Kindergarten Union Incorporated:
- (c) A supervisor's certificate issued in New Zealand by a Nursery Play Centre Association affiliated to the New Zealand Federation of Nursery Play Centres Associations:
- (d) In the case of a child care centre which customarily provides care only for handicapped or convalescent children, registration under the provisions of the Nurses Registration Regulations 1958*:
- (e) In the case of a child care centre providing care only or mainly for children under the age of two years, a nursing certificate issued in New Zealand by the Royal New Zealand Society for the Health of Women and Children:

(f) Any certificate or qualification issued in New Zealand or elsewhere which is recognised by the Superintendent as denoting a standard equivalent to or higher than one or more of those mentioned in paragraphs (a) to (e) of this subclause.

(3) Any advertisement or public notice in any form which directly or indirectly invites parents to place children in any registered child care centre shall specify the class in which that centre has been registered under these regulations.

7. Provisional registration—Notwithstanding anything to the contrary in regulation 5 of these regulations, the Superintendent may, subject to the provisions of regulation 15 of these regulations, grant provisional registration in respect of any child care centre which does not fully conform to the requirements of these regulations, if he is satisfied that the person to be placed in charge of the children attending the centre is a suitable person to care for children and that in all the circumstances the health, safety, and comfort of any children admitted to that centre will not be unduly prejudiced by the granting of provisional registration.

8. Licences—(1) The Superintendent shall issue to every successful applicant for the registration or provisional registration of a child care centre under these regulations a licence in writing in the name of the licensee which shall be evidence of such registration and every such licence shall relate only to the premises in respect of which registration has been granted and to the person named in the licence.

(2) Every licence issued under these regulations shall during the whole of its currency be prominently displayed at the premises specified therein in such a way as to be readily available for inspection by any person making use of the services provided at the centre.

(3) Except where, in the case of a centre which is not operated for profit, the Superintendent decides that no fee shall be payable, a fee of £1 shall be payable in respect of the initial issue of, and of every subsequent renewal of, a licence issued under these regulations.

9. Particulars to be specified on licences—(1) Every licence issued in respect of any registered child care centre shall specify therein—

(a) The premises to which it relates:

(b) The name of the licensee who shall be the person responsible for the control of the centre:

(c) The class of registration of the centre:

(d) The dates of issue and expiry of the licence:

(e) The maximum number and the age range of the children authorised to be received in the centre at any time:

(f) The hours and days or occasions on or during which the centre is authorised to be open to receive children:

(g) In the case of a centre registered in Class A, the appropriate training qualification which is required to be held by at least one adult staff member during the currency of the licence.

(2) Every registration of a child care centre not operating at the commencement of these regulations, and the licence issued in respect of any such registration, shall be subject to the condition that the number of children attending the centre at any time shall not exceed fifty.

10. Change of use—(1) No change shall be made in the use of any part of the premises of any registered child care centre until that change of use has been approved in writing by the Superintendent.

(2) If any change is made in breach of this regulation, the licensee shall be deemed to have committed an offence against these regulations.

11. Structural alterations—(1) No structural alteration or addition shall be made to any registered child care centre until a sufficient plan and description of the proposed alteration or addition has been given to the Superintendent and approved by him in writing.

(2) If any alteration or addition is made in breach of this regulation, the licensee shall be deemed to have committed an offence against these regulations.

12. Application for review of licence—(1) The Superintendent shall from time to time, on an application in writing signed by the licensee, reconsider the registration of the child care centre in respect of which the licensee holds his licence, and shall, if he thinks appropriate, confirm such registration or suspend or revoke it under regulation 13 of these regulations or amend any of the particulars specified on the licence.

(2) Every licensee shall make application to the Superintendent forthwith under subclause (1) of this regulation if—

(a) The centre is registered in Class A and the appropriate training qualification is no longer held by any adult member of the staff:

(b) The person placed in charge of the children attending the centre permanently ceases to be the person approved for the purpose by the Superintendent.

(3) No fee shall be payable in respect of any amended licence issued in accordance with this regulation.

13. Suspension and termination of registration—(1) In any case where the Superintendent is satisfied that a registered child care centre has ceased to comply with these regulations or with the conditions subject to which registration or provisional registration has been granted and which are specified in the licence issued in respect of such registration, or that the licensee has omitted or failed to do or to provide anything required to be done or provided in accordance with these regulations, the Superintendent may, after the expiry of 14 days' notice in writing of his intention to do so, suspend the registration:

Provided that in any such case the Superintendent may suspend the registration of the centre forthwith if he is satisfied that there are special circumstances justifying such action.

(2) Where any registration is suspended in accordance with subclause (1) of this regulation, the notice of suspension shall specify the reasons for such suspension and the terms and conditions upon which registration will be reinstated.

(3) Where any registration is suspended in accordance with subclause (1) of this regulation, such suspension shall remain in effect for the period, not exceeding 14 days, stated by the Superintendent, and, if on the expiry of such period the conditions for reinstatement of the registration notified in accordance with subclause (2) of this regulation have not been met, the Superintendent shall revoke the registration:

Provided that where the Superintendent considers that further investigation of the circumstances is necessary or desirable he may extend the term of the suspension for one further period of not more than 14 days.

(4) Where a child care centre permanently ceases to operate, or no longer continues in the premises specified in the licence, or ceases to be a child care centre within the meaning of these regulations, or where the licensee permanently ceases to be responsible for the control of the centre, the registration of that centre shall be deemed to have lapsed.

(5) Where the registration of any child care centre has been suspended or revoked, or has lapsed, as provided in this regulation, or a licence has been replaced by an amended licence under regulation 12 of these regulations, the licensee shall upon demand surrender to the Superintendent the suspended, revoked, lapsed, or replaced licence.

14. Renewal of registration—(1) Except as otherwise provided in this regulation or regulation 13 of these regulations, every registration, other than a provisional registration, granted under these regulations, shall continue in force until the close of the 31st day of March next following the date on which the appropriate licence was issued, and shall then expire:

Provided that any registration granted during February or March in any year shall continue in force until the close of the 31st day of March in the next ensuing year:

Provided also that where application has been made in accordance with these regulations for renewal of any registration not later than 14 days before that registration is due to expire, the existing registration shall continue in force until the decision of the Superintendent on the application has been given, or in the case of an appeal against that decision until the determination of the appeal.

(2) On receipt of an application on the form to be provided by the Superintendent for the renewal of the registration of any child care centre and for the issue of a new licence, and having made such inquiries as he considers necessary—

- (a) The Superintendent shall grant such renewal and issue a new licence unless he is satisfied that there has been some change in the circumstances of the centre as a result of which the centre no longer meets the requirements of these regulations for registration:
- (b) The Superintendent may, in issuing any new licence as aforesaid, if he is satisfied that it is proper to do so, substitute in such new licence a different class of registration or different particulars from those specified in the expiring licence.

15. Extension of provisional registration—Except as otherwise provided in regulation 13 of these regulations, every provisional registration granted in accordance with regulation 7 of these regulations shall continue in force for the period, not exceeding 12 months, endorsed thereon, and shall then expire and shall not be renewed:

Provided that where on receipt of a written application for an extension of such provisional registration, and on having made such inquiries as he considers necessary, the Superintendent is satisfied that there are special circumstances justifying such action, the Superintendent may

extend such provisional registration for a further period of not more than 12 months and issue a licence accordingly, but in no case shall any provisional registration remain in force for a total period exceeding two years.

16. Appeals—(1) Any person to whom any decision or requirement of the Superintendent under these regulations applies, and who objects to the decision or requirement, may within 14 days after receiving notice of the decision or requirement apply to a Magistrate's Court having civil jurisdiction for a review of that decision or requirement.

(2) For the purposes of hearing the application the Court shall have all the powers vested in it in its civil jurisdiction. On hearing the application the Court may make such order as it thinks fit, and every such order shall be binding on the parties.

(3) In every case in which application is made for a review of a decision or requirement of the Superintendent that decision or requirement shall, if the Superintendent so requires by written notice, remain in full force until it has been varied in accordance with the order of a Magistrate.

PART III—STANDARDS TO BE OBSERVED

17. Premises—(1) The premises of every child care centre shall be in a good state of repair and shall conform with the bylaws of the local authority of the district in which the centre is situated.

(2) Every room used by children shall be provided with one or more windows so situated in an external wall that natural light is admitted.

(3) Adequate space, having regard to the number and ages of the children to be accommodated and the period for which they are to be accommodated, shall be provided for sleeping, eating, indoor and outdoor activity, ablution and toilet facilities and, where necessary, adequate and suitable kitchen and laundry facilities shall be provided:

Provided that where any child care centre conforms with the standards set out in the First Schedule to these regulations in any respect it shall be deemed in that respect to have met the requirements of this subclause.

(4) Where more than 25 children of two years of age or over are to be accommodated, there shall be at least two playrooms.

(5) Outside doors, fences, and gates shall be secure and safe. Children must not be able to leave the centre without it being known to a member of the staff.

18. Sanitary fittings—In every child care centre there shall be provided to the satisfaction of the Superintendent an adequate number of sanitary fittings which are convenient of access, safe, and comfortable for use by children:

Provided that where a centre complies with the standards set out in the Second Schedule to these regulations, it shall be deemed in those respects to have met the requirements of this subclause.

19. Lighting, ventilation, and heating—Every room used by children shall have adequate natural or artificial lighting, adequate ventilation, and, where necessary, adequate heating equipment. Heating equipment which is capable of maintaining a temperature of 60°F measured between 2 to 3 ft above the floor shall be adequate for the purpose of this regulation.

20. Fire protection—(1) Every child care centre shall be provided with such safeguards against fire and means of escape in case of fire as are required by the bylaws of the local authority of the district in which the centre is situated or of the Urban Fire Authority of the district, as the case may be, applying to the centre, or where no such bylaws have been made, such safeguards against fire and means of escape in case of fire as are approved by the proper officer.

(2) For the purposes of subclause (1) of this regulation the proper officer shall be such person as the local authority appoints in that behalf, in the case of any part of a district that is not included in the district of an Urban Fire Authority, and shall be the Chief Fire Officer or such other person as the Urban Fire Authority appoints in that behalf, in the case of any part of a district that is included in the district of an Urban Fire Authority.

21. Play and other equipment for use by the children—(1) In every child care centre there shall be provided and maintained in good condition indoor and outdoor play equipment of types and of a quantity and variety considered by the Superintendent to be adequate and suitable for the needs of the children.

(2) In every child care centre authorised to care for six or more children of or over the age of two years at a time, an adequate number of tables and chairs of suitable size for the use of the children shall be provided. Chairs shall be of such height as will permit children to rest their feet on the floor and shall be so constructed as to give support to children's backs.

(3) In every child care centre attended for more than four hours in any day by any child who has attained the age of two years, there shall be provided to the satisfaction of the Superintendent adequate opportunities and facilities for undisturbed rest by such child.

(4) Every child who remains overnight in any child care centre, and every child under the age of two years who is cared for in any centre, shall be provided with an individual cot or bed and bedding.

(5) Cots, beds, and bedding provided in accordance with the requirements of subclauses (3) and (4) of this regulation shall be—

- (a) Of a type and design or material approved by the Superintendent:
- (b) Washable:
- (c) Maintained in a clean condition, the bedding of each child being kept and stored under hygienic conditions.

(6) Cots or beds provided in accordance with the requirements of subclause (4) of this regulation shall, while occupied by children, be placed not less than 3 ft from each other.

22. Safety and hygiene—(1) The premises, furniture, furnishings, fittings, equipment, and materials to which the children have access shall be maintained in a safe, clean, and sanitary condition.

(2) It shall be the duty of the licensee of every registered child care centre to ensure that the requirements of this regulation are met, and that, so far as is reasonably practicable, hazards to the safety of the children attending the centre are corrected, repaired, removed, or made inaccessible to the children.

23. First-aid cabinet—Every child care centre shall provide and maintain in efficient order a first-aid cabinet containing materials of a type and quantity approved by the Superintendent and so placed as to be inaccessible to the children.

24. Provision of food—(1) In every child care centre which is attended by any child for more than four hours in any day, food shall be served to the children at intervals of not more than two and a half hours.

(2) All meals and refreshments provided for children in any child care centre shall be correctly prepared from good quality and wholesome food, attractively served, and in sufficient quantity to meet the nutritional needs of the children.

25. Staffing—(1) Every child care centre shall be so staffed that children in attendance will at no time be left without supervision.

(2) The maximum number of children of the age groups stated which may be cared for at any time in any child care centre in relation to the hours the centre is open and the numbers of adult staff members present and on duty at that time shall be as set out in the Third Schedule to these regulations.

(3) Notwithstanding anything to the contrary in subclause (2) of this regulation, the following provisions shall apply—

- (a) The Superintendent may, if he is satisfied that the purpose of or use made of any child care centre, or its design and construction, or any other special circumstance makes it desirable to do so, issue a licence in respect of that centre which authorises a different staffing requirement from that set out in the Third Schedule to these regulations:
- (b) Every child who attends a child care centre for care (except a child of the licensee of the centre) shall irrespective of his age be included in the total present for the purposes of the Third Schedule to these regulations:
- (c) Except in the case of a centre which is authorised to receive not more than eight children at any time, the staffing requirements set out in the Third Schedule shall be applied separately in respect of children under the age of two years and those of that age or over:
- (d) In any child care centre which is authorised to care for more than 15 children at a time and which provides midday or evening meals for the children, at least one assistant additional to the number required in accordance with the Third Schedule to these regulations shall be employed for the whole of the time required for the cooking and serving of the meals and for cleaning the dishes and utensils used.

26. Suitable activities to be provided—(1) Every child care centre shall provide to the satisfaction of the Superintendent a range of activities which shall be adequately supervised, which shall be appropriate to the ages and circumstances of the children attending the centre, and which shall include opportunities for adequate periods of indoor and outdoor activity.

(2) In every centre discipline shall be exercised in a kindly and sympathetic manner.

27. Child health—(1) Any child who is suffering from any infectious or communicable disease, or is suffering from any physical or mental condition which is likely to cause undue difficulty in the management of the other children, shall be excluded from attending any child care centre.

(2) Every child care centre shall provide an area suitable for the temporary isolation and care of at least one sick child. In any case of minor illness all practicable steps shall be taken to isolate the sick child from the others attending the centre and to ensure that the child is returned to the care of his parent or guardian without delay.

(3) In cases of accident to or serious illness of a child occurring at or noticed at a child care centre in circumstances which call for immediate medical aid, the person in charge of the children at the time shall without delay ensure that all reasonable steps are taken to secure the necessary medical aid and to notify the parent or guardian of the child of the incident.

28. Staff health—(1) Every person working in any capacity in a child care centre shall be in good physical condition and shall not be suffering from any infectious or communicable disease.

(2) Where the Superintendent has reason to believe that any member of the staff of a child care centre, or any person on the premises who comes into contact with the children, is suffering from any disease, condition, or defect which is likely to have a detrimental effect upon the children in the care of the centre, he may require that that person shall be excluded from entering the premises or from coming into contact with the children until she has produced evidence from a registered medical practitioner that she is free from any disease, condition, or defect which is likely to have a detrimental effect upon the children attending the centre.

(3) Where a staff member or other person enters the premises or comes into contact with the children in contravention of any requirement of the Superintendent under subclause (2) of this regulation, the Superintendent may without further notice suspend the registration of that centre as provided in regulation 13 hereof.

29. Records—In every child care centre records shall be maintained which shall be available at all times for inspection by authorised persons having the right of entry to the centre under the provisions of regulation 31 of these regulations, and which shall include—

- (a) The name and home address of each child admitted:
- (b) The name and, where this differs from the child's address, the home address of at least one parent or guardian of each child admitted:
- (c) The place at which, or the means by which, the parent or guardian of the child may be reached in case of illness or other emergency while the child is attending the centre:
- (d) An attendance roll showing the dates of attendance of each child at the centre:
- (e) Particulars of accidents or illnesses occurring to the children while they are at the centre and of action taken in respect of them:

- (f) In respect of any child who attends, or who on admission is expected to attend, the centre on more than two days in each of two or more consecutive weeks, the name of the medical practitioner from whom the admitting parent or guardian directs that medical advice should first be sought in the event of illness or emergency affecting the child.

PART IV—MISCELLANEOUS PROVISIONS

30. Regulations to be provided—The licensee of every child care centre shall, on registration of that centre, be furnished free of charge with a copy of these regulations.

31. Right of entry—(1) Any person empowered in that behalf in accordance with subclause (2) of this regulation may at all reasonable times enter and inspect any registered child care centre, or, pursuant to a warrant under subclause (3) of this section, any premises which he has reasonable cause to believe are being used as a child care centre in contravention of these regulations.

(2) The following persons are hereby empowered to exercise the power of entry and inspection conferred under subclause (1) of this regulation—

- (a) The Superintendent or any Child Welfare Officer authorised by him for the purpose:
- (b) The Medical Officer of Health for the health district in which the centre or premises are situated:
- (c) Any officer of the Department of Health authorised for the purpose by the Medical Officer of Health for the health district in which the centre or premises are situated.

(3) If any person authorised as aforesaid has reasonable cause to believe that any premises are being used as a child care centre in contravention of these regulations, he may apply to a Justice, and if the Justice is satisfied on application in writing made on oath that there is reasonable cause to believe that the premises are being used as a child care centre in contravention of these regulations, the Justice may by warrant under his hand authorise the applicant to enter the premises at such time or times as are specified in the warrant, at any time within one month from the date thereof, and carry out an inspection.

(4) A person who proposes to exercise any power of entry conferred under this regulation shall if so required produce some duly authenticated document showing his authority to exercise the power.

(5) Every person commits an offence against these regulations who wilfully obstructs, hinders, resists, or deceives any other person in the execution of any powers conferred on that person by or pursuant to this regulation.

32. Delegation of Superintendent's powers—(1) The Superintendent may from time to time, by writing under his hand, either generally or particularly, delegate to such Child Welfare Officer or officers as he thinks fit all or any of the powers exercisable by him under these regulations, except this present power of delegation or the power of immediate suspension of the registration of a child care centre conferred on him under subclause (1) of regulation 13 of these regulations.

(2) Subject to any general or special directions given or conditions or restrictions attached by the Superintendent, the officer to whom any powers are delegated under this regulation may exercise those powers in the same manner and with the same effect as if they had been conferred on him directly by this regulation and not by delegation.

(3) Every person purporting to act pursuant to any delegation under this regulation shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(4) Every delegation under this regulation shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Superintendent.

(5) Any such delegation shall, until revoked, continue in force according to its tenor, notwithstanding the fact that the Superintendent by whom it was made may have ceased to hold office, and shall continue to have effect as if made by the successor in office of that Superintendent.

33. Offences—Every person commits an offence against these regulations who—

- (a) Knowingly makes any false statement in any application made for the purposes of these regulations:
- (b) Fails to specify the class of registration applicable to any centre in any advertisement for the centre, or specifies a class of registration to which the centre is not entitled.

34. General penalty—Every person who commits an offence against these regulations shall be liable on summary conviction to a fine not exceeding £50, and if the offence is a continuing one to a further fine not exceeding £5 for every day or part of a day on which the offence has continued.

SCHEDULES

FIRST SCHEDULE

Reg. 17 (3)

STANDARDS CONCERNING CERTAIN PARTS OF CHILD CARE CENTRES WHICH
WILL BE DEEMED TO COMPLY WITH THE REQUIREMENTS OF THE
SUPERINTENDENT

Part of Premises	Time	Age of Children	Area Required per Child
<i>Indoor Recreation or Nursery Space</i> . . . (which shall be computed clear of all furniture, fittings, fixed equipment, and stored goods, and shall exclude passageways, toilet facilities, staff rooms, and other areas not available for play or nursery purposes)	<i>Day</i> (i.e., between 7 a.m. and 9 p.m.)	Under two years	40 square feet
	<i>Night</i> (i.e., between 9 p.m. and 7 a.m.)	2 years and over All ages	25 square feet 50 square feet
<i>Outdoor Recreation Space</i> (not more than half, or less than a quarter, of which should be permanently paved and the remainder grassed, and in which there should be adequate shade)	<i>Day</i>	2 years and over	75 square feet

Reg. 18

SECOND SCHEDULE

STANDARDS CONCERNING SANITARY FITTINGS IN CHILD CARE CENTRES WHICH WILL BE DEEMED TO COMPLY WITH THE REQUIREMENTS OF THE SUPERINTENDENT

Water Closet Pans or Approved Privies:

- (a) At least one in each centre.
- (b) A minimum of one closet for every 10 or part of 10 persons (including children of three years of age or over, and adults) present.

Lavatory Basins:

As for water closets.

Chamber Pots:

- (a) At least one in each centre.
- (b) A minimum of one additional chamber pot for every four or part of four children under three years of age.

Reg. 25 (2)

THIRD SCHEDULE

MAXIMUM NUMBER OF CHILDREN OF STATED AGES PERMITTED TO BE PRESENT AT A CHILD CARE CENTRE IN RELATION TO THE NUMBER OF ADULT STAFF MEMBERS PRESENT AND ON DUTY, AND TO THE HOURS DURING WHICH THE CENTRE IS OPEN

Number of Adult Staff Members Present and on Duty	Maximum Number of Children Permitted to be Present			
	(A) Over Night (i.e., Between 9 p.m. and 7 a.m.)	(B) During the Day (i.e., Between 7 a.m. and 9 p.m.)		
		(1) Under Two Years of Age	(2) Two Years of Age and Over	
			(a) In a Centre Open for Not More than Four Hours in the Day	(b) In a Centre Open for More than Four Hours in the Day
1	4	5	8	6
2	8	10	35	20
3	12	15	50	30
4	16	20	50*	40
5	16*	25	50*	50
6	16*	25*	50*	50*
7	16*	25*	50*	50*

*Or such number as is approved by the Superintendent in each case.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations provide for the registration and licensing of child care centres and make it an offence, after 31 March 1961, to use any premises as a child care centre without a licence.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 10 November 1960.

These regulations are administered in the Department of Education.