

1970/29



**THE CHILD CARE CENTRE REGULATIONS 1960,
AMENDMENT NO. 2**

—
ELIZABETH R.

ORDER IN COUNCIL

At the Court at Government House, Wellington, this 12th day of March
1970

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

PURSUANT to the Child Welfare Act 1925 and the Royal Powers Act 1953, Her Majesty the Queen, acting by and with the advice and consent of Her Executive Council, is pleased to make the following regulations.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Child Care Centre Regulations 1960, Amendment No. 2, and shall be read together with and deemed part of the Child Care Centre Regulations 1960* (hereinafter referred to as the principal regulations).

(2) Except as provided in subclause (3) of regulation 2 of these regulations, these regulations shall come into force on the seventh day after the date of their notification in the *Gazette*.

2. Homes for mentally subnormal persons—(1) Any premises which are or purport to be mainly for the care of mentally subnormal persons and which are licensed pursuant to regulations made under section 81 of the Mental Health Act 1969 are hereby declared not to be a child care centre.

(2) Regulation 2 of the principal regulations is hereby consequentially amended by adding to the exceptions in the definition of the term "child care centre" the following paragraph:

“(1) Any premises which are or purport to be mainly for the care of mentally subnormal persons and which are licensed pursuant to regulations made under section 81 of the Mental Health Act 1969.”

(3) This regulation shall come into force on the 1st day of April 1970.

3. Classes of registration—(1) Regulation 6 of the principal regulations (as amended by regulation 2 of the Child Care Centre Regulations 1960, Amendment No. 1) is hereby further amended by inserting in subclause (2), after paragraph (c), the following paragraphs:

*S.R. 1960/167
Amendment No. 1: S.R. 1967/100

“(cc) A Certificate in Child Care (N.Z.) issued in New Zealand by the Royal Society for the promotion of Health:

“(ccc) A Plunket Nursing Certificate issued in New Zealand by the Royal New Zealand Society for the Health of Women and Children:”.

(2) Regulation 6 of the principal regulations (as so amended) is hereby further amended by omitting from paragraph (e) of subclause (2) the words “nursing certificate”, and substituting the words “Karitane Nursing Certificate”.

4. Town and Country Planning Act 1953—The principal regulations are hereby amended by inserting, after regulation 7, the following regulation:

“7A. Notwithstanding anything in regulation 5 or regulation 7 of these regulations, the Superintendent shall not grant registration or provisional registration of any child care centre unless he is satisfied, after consultation with the local planning authority, that the use of the premises as a child care centre will not be a contravention of section 38A of the Town and Country Planning Act 1953 or of any provision of an operative district scheme under that Act; and where any application or appeal affecting the centre is pending under that Act he shall not grant registration or provisional registration of the child care centre until the result of any such application or appeal is known.”

P. J. BROOKS,
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 make two amendments to the Child Care Centre Regulations 1960.

Regulation 2 amends the definition of “child care centre” so that any premises which are or purport to be mainly for the care of mentally subnormal persons and which are licensed pursuant to regulations made under section 81 of the Mental Health Act 1969 will not be a child care centre within the meaning of the Child Care Centre Regulations 1960.

Regulation 3 provides that a Certificate in Child Care (N.Z.) issued in New Zealand by the Royal Society for the promotion of Health and a Plunket Nursing Certificate issued in New Zealand by the Royal New Zealand Society for the Health of Women and Children will in each case be a recognised qualification for the purpose of granting Class A registration to a child care centre. A Karitane Nursing Certificate will continue to be recognised for that purpose in those cases where the child care centre provides care only or mainly for children under the age of 2 years.

Regulation 4 inserts a new regulation 7A for the purpose of ensuring that due regard is had to the provisions of the Town and Country Planning Act 1953 when applications for registration or provisional registration of child care centres are under consideration.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 13 March 1970.

These regulations are administered in the Department of Education.