

CHILD WELFARE (CHILD MINDING) REGULATIONS*

- Citation. **1.** These Regulations may be cited as the Child Welfare (Child Minding) Regulations.*
- Commence-
ment. **2.** These Regulations shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.†
- Register of
child minding
centres. **3.** The Director shall maintain a register of child minding centres.
- Registration of
child minding
centres. **4.**—(1.) A person may, by writing under his hand, apply to the Director for permission to operate a child minding centre at a house or place specified in the application and to register that house or place as a child minding centre.
- (2.) The applicant shall include in his application—
- (a) particulars of any training or experience that he has had in the care and control of children; and
- (b) any other information as to his suitability to be entrusted with the care and control of children that he wishes the Director to consider in connexion with his application.
- (3.) The applicant may specify in his application the maximum number of children to be cared for at the child minding centre.
- (4.) The Director may refuse to grant the application—
- (a) if the applicant, upon request, does not appear before him;
- (b) if the applicant, upon request to furnish information pertaining to the application, does not furnish the information; or
- (c) if the applicant, upon request to produce documents pertaining to the application, does not produce the documents.
- (5.) The Director shall not grant the application until the house or place has been inspected by such person or persons as he directs.
- (6.) The Director shall, if he is satisfied that—
- (a) the applicant is a suitable person to operate a child minding centre at that house or place;
- (b) the house or place is suitable to be used as a child minding centre; and
- (c) the house or place is adequately equipped to enable the applicant to conduct the child minding centre there in the manner in which he proposes to operate it and to comply with these Regulations in and in relation to the operation of the child minding centre,
- grant the application and register the house or place as a child minding centre.

Regulations 1966, No. 13, in force under the *Child Welfare Ordinance* 1958–1965; made on 25th July, 1966. * Titled in *Northern Territory Government Gazette* on 27th July, 1966.
† The date fixed was 1st September, 1966—see *Northern Territory Government Gazette* No. 40 of 17th August, 1966.

(7.) In forming an opinion whether the house or place is suitable to be used as a child minding centre, the Director shall have regard to the standards for construction and equipment of child minding centres set out in the First Schedule to these Regulations.

5.—(1.) Where the Director registers a house or place as a child minding centre, he shall furnish to the applicant for registration a certificate of registration.

(2.) The certificate shall specify the maximum number of children to be cared for at the child minding centre.

(3.) The maximum number of children that may be specified in a certificate of registration in respect of a child minding centre is—

- (a) the number obtained, disregarding any remainder, by dividing the total number of square feet in the area of outdoor play space by two hundred;
- (b) the number obtained, disregarding any remainder, by dividing the total number of square feet in the area of indoor play space by thirty-five; or
- (c) if a number is specified in the application for permission to operate the child minding centre as the maximum number of children to be cared for at the child minding centre—that number,

whichever number is the lowest.

6. A person who is the holder of a certificate of registration of a child minding centre shall—

- (a) maintain the child minding centre in conformity with the standards for construction and equipment of child minding centres set out in the First Schedule to these Regulations;
- (b) ensure that the child minding centre is conducted in conformity with the standards for the operation of a child minding centre set out in the Second Schedule to these Regulations;
- (c) ensure that a child who is brought to the centre is not returned, without the written permission of a parent or other person having authority over the child, otherwise than to a parent or other person having authority over the child;
- (d) ensure that the number of children, inclusive of children of members of the staff, or of relatives, neighbours or friends of members of the staff, present at the centre at any one time does not exceed the maximum number specified in the certificate of registration; and
- (e) insure himself or the person from time to time responsible for the safety of the children at the centre against personal liability in respect of the death of or injury to a child at the centre for an amount of not less than Two thousand dollars per child or for such less amount as the Director approves.

Duties of holder of certificate of registration.

*Child Welfare (Child Minding) Regulations*Cancellation
of registration.

7. The Director shall cancel the registration of a child minding centre if the holder of the certificate of registration—

- (a) voluntarily surrenders his certificate of registration; or
- (b) is convicted of an offence of such a kind as to make him unsuitable to conduct a child minding centre or of an offence against the *Child Welfare Ordinance 1958-1965*.

Sick children.

8.—(1.) A person shall not knowingly bring a sick child to a child minding centre.

(2.) The person in charge of a child minding centre shall not knowingly permit a sick child to enter, be at or remain at the centre.

Director may
inspect child
minding centre.

9.—(1.) The Director, or a person thereto authorized in writing by the Director, may at any reasonable time enter upon and inspect a registered child minding centre, and may require the holder of the certificate of registration to produce the records that he is under these Regulations required to keep.

(2.) The Director may, by notice in writing given personally or by post to the person who is the holder of the certificate of registration, require that person to satisfy him that he is insured as required by these Regulations.

THE SCHEDULES.**FIRST SCHEDULE.**

Regulations 4 and 6

**STANDARDS FOR CONSTRUCTION AND EQUIPMENT OF
CHILD MINDING CENTRES.**

1. The buildings, erections and fixtures must be safe.
2. The provision for sanitation must be adequate.
3. The area open to the children must be—
 - (a) adequately fenced or otherwise enclosed;
 - (b) so planned that the children can be supervised easily at all times; and
 - (c) free from hazards likely to cause injury to a child.
4. Adequate provision must be made for the safety of the children in case of fire.
5. The house or place must be connected to the telephone.
6. There must be an outdoor play space and an indoor play space.
7. The indoor play space must be well lighted but free from glare, well ventilated but free from draughts and easily accessible to the outdoor play space and sanitation facilities.
8. The equipment and facilities for the use of the children must be not unsuitable for use by the children.
9. The indoor wall surfaces in the area open to the children must be washable to a height of not less than four feet six inches from the floor.
10. The floors in the area open to the children must be of a type that can be easily cleaned.

SECOND SCHEDULE.

Regulation 6

STANDARDS FOR THE OPERATION OF A CHILD MINDING CENTRE.

1. An adequate first aid kit must be maintained.
2. Cleaning materials, medicines and all poisonous or harmful substances must be stored out of the reach of the children.
3. A towel, face washer, comb, item of clothing or item of bed linen that has been used by one child must not be used by another child until it has been washed.

4. The house or place and all equipment must be clean.
5. The house or place must be free of vermin, flies, mosquitoes and any other matter or thing likely to be a danger to health.
6. Members of the staff must maintain a high standard of personal hygiene and must wear clean clothes.
7. A high standard of hygiene must be maintained in the arrangements for the storage, preparation, cooking and serving of food, the storage of items for laundering and the disposal of rubbish.
8. Where sleeping or resting facilities are provided—
 - (a) the distance in any direction between a bed or cot and any other bed or cot must be not less than three feet; and
 - (b) only one child may sleep or rest in any one bed or cot at any one time.
9. Where transport to or from the centre is provided for the children—
 - (a) the vehicle must be suitable and must be properly maintained; and
 - (b) a responsible person over the age of eighteen years, other than the driver, must ride in the vehicle with the children.
10. There must be available at the centre a number of chamber pots that is not less than the number obtained by dividing the number of children under two and one half years of age present at the centre by five or if the number of such children is not a multiple of five, by dividing the next highest number that is a multiple of five.
11. There must be present at and assisting in the control of the centre at all times when children are present a person in charge who is approved by the Director for that purpose, whether or not that person is the holder of the certificate of registration.
12. There must be present at and assisting in the control of the centre a number of responsible persons over the age of eighteen years, inclusive of the person in charge, that is not less than the number obtained—
 - (a) by dividing by eight the number of children, inclusive of children of members of the staff, or of relatives, neighbours or friends of members of the staff, present at the centre; or
 - (b) if the number of such children is not a multiple of eight, by dividing the next highest number that is a multiple of eight.
13. A record must be kept of—
 - (a) the name of each child admitted to the centre;
 - (b) an address to which a message may be sent to the guardian or other person having authority over the child;
 - (c) injuries received by the child at the centre; and
 - (d) illnesses of the child that became apparent while he was at the centre.