

Statutory Instrument No. 51 of 1994

TOWNSHIPS ACT
(Cap. 40:02)

TOWN COUNCILS REGULATIONS
(Cap. 40:02, Sub.leg)

GABORONE CITY COUNCIL DAY-CARE CENTRE BYE-LAWS, 1994
(Published on 27th May, 1994)

ARRANGEMENT OF BYELAWS

BYELAW

1. Citation
2. Interpretation
3. Registration of day care centres
4. Closure of day care centres
5. Operating hours
6. Age of children at centres
7. Premises
8. First aid requirements
9. Toilets
10. Kitchens
11. Staff
12. Responsibilities of owners
13. Powers of entry
14. Offences and penalties

IN EXERCISE of the powers conferred on the Gaborone City Council by regulation 30 as read with regulation 31 of the Town Councils Regulations, and with the approval of the Minister of Local Government, Lands and Housing, hereby makes the following Byelaws —

1. These Byelaws may be cited as the Gaborone City Council Day Care Centre Byelaws, 1994. Citation

2. In these Byelaws — Interpretation
“day care centre” means a place for the supervision during the day of young children below normal school age and before they attend a normal school;
“infectious disease” includes the following — diphtheria, cerebro-spinal meningitis, whooping cough, measles, mumps, German measles (rubella), chicken pox, scabies, ringworm of scalp or body, and typhoid fever.

3. (1) No person shall operate a day care centre without the prior approval of, and registration by, the City Council. Registration of day care centres

(2) Any person intending to operate a day care centre shall make application to the City Council therefor, on the appropriate form, giving details of the premises intended to be used for the centre, the names and qualifications of all the teachers and other assistants to be employed at the centre, and such other information with regard to the proposed centre as the Council may require.

(3) If the City Council is satisfied that the proposed centre meets all the requirements of these Bye-Laws and any other relevant legislation, it may, on payment of a fee of P100, register the centre, and issue to the applicant a registration certificate, valid until the 31st. December of the year of issue, but thereafter renewable from year to year, on payment of the annual fee of P100.

	<p>(4) The current registration certificate shall be displayed on the wall of the principal office of the centre.</p>
Closure of day care centres	<p>4. The City Council may cancel the registration of, and require the closure of, any day care centre that contravenes or fails to comply with any of the provisions of these Bye-Laws with which it is its duty to comply.</p>
Operating hours	<p>5. A day care centre shall not operate outside the hours between 7.00 a.m. and 17.00 p.m. on week-days, except with the written approval of the City Council.</p>
Age of children at centres	<p>6. Children shall not be admitted to, or be allowed to remain at, a day care centre, without the written permission of the City Council, if under the age of two and a half years or over the age of six years.</p>
Premises	<p>7. (1) Occupied residential houses shall not be used as day care centres, and garages and verandahs shall not be used or extended as classrooms for day care centres:</p> <p>Provided that, with the written consent of the City Council, an occupied residential house may be permitted to be used as a day care centre if the portion to be used for the centre can be adequately, and satisfactorily separated from the portion used for residential purposes.</p> <p>(2) Premises used for day care centres shall be constructed in accordance with and from material permitted by the appropriate building regulations, floors shall be smooth and tiled or carpeted, and every classroom or rest room must be adequately lit and ventilated.</p> <p>(3) The size of rooms to be used as classrooms shall directly relate to the number of children permitted to use them at any one time, so that for each child there shall be the equivalent of 1,5 square metres.</p> <p>(4) In every day care centre there shall be a room, equipped with a bed with mattress and clean linen, in which a sick child can rest and be isolated.</p>
First aid requirements	<p>8. In every day care centre there shall be maintained, and readily accessible at all times, a first aid box or cupboard containing an adequate supply of dressings, bandages, sterilized cotton wool, adhesive plasters, disinfectant, safety pins, and a tourniquet.</p>
Toilets	<p>9. (1) Every day care centre shall be provided with separate toilets for staff and for children, which shall be well lit, well ventilated, and have adequate running water.</p> <p>(2) Toilets for children shall be provided with standard junior toilets and wash hand basins, so that there shall be one toilet and one wash hand basin for every 15 children.</p> <p>(3) Storage facilities for towels, face cloths and personal belongings of staff shall be separate from similar facilities for children.</p>
Kitchens	<p>10. (1) Where food is provided by a day care centre, there shall be available in the kitchen adequate hot and cold water, adequate and hygienic storage space for food, adequate cutlery and crockery of a suitably hygienic type, and there shall be available for inspection a detailed menu of food provided, with a suitably balanced diet.</p> <p>(2) Where food is brought into a day care centre by the children there shall be provided suitable facilities for the storage and refrigeration of the food.</p>
Staff	<p>11. (1) A day care centre shall have a minimum of two qualified teachers, and at all material times there shall be at least one such teacher on duty:</p> <p>Provided that there shall always be at least one teacher on duty for every 30 children at the centre.</p>

(2) Assistants may be employed to assist the qualified teachers to supervise and look after children at the centre.

(3) All staff employed at a day care centre shall be medically examined, including being x-rayed, before taking up employment, and thereafter at six monthly intervals.

(4) All staff employed at a day care centre shall at all times wear clean uniforms or clothing.

12. Smoking shall be prohibited anywhere within the area of a day care centre, and a notice to this effect shall be displayed prominently at the entrance to the centre.

Smoking
prohibited

13. (1) The owner of a day care centre shall ensure that at all times a high standard of maintenance and cleanliness is established and maintained within the centre.

Responsibilities
of owners

(2) The owner of a day care centre shall ensure that any child or member of the staff suffering from, or suspected to be suffering from, an infectious disease is immediately isolated from contact with other children or staff members.

(3) The owner of a day care centre shall ensure that all children at the centre shall have a common resting period of not less than an hour each afternoon.

14. An officer of the City Council so authorized in writing by the Town Clerk may at any reasonable time enter a day care centre for the purpose of inspection, and to ensure compliance with these Bye-Laws.

Powers of
entry

15. Any person who contravenes, or fails to comply with any of these Bye-Laws with which it is his duty to comply shall be guilty of an offence and liable to a fine of P200 and to imprisonment for three months.

Offences and
penalties

MADE this 15th day of February, 1994.

K.C. MPEDI,
Gaborone Town Clerk.

APPROVED this 4th day of May, 1994.

C.J. BUTALE,
*Minister of Local Government, Lands
and Housing*