

LOCAL GOVERNMENT (DISTRICT COUNCILS) ACT
(Cap. 40:01)

KGATLENG DISTRICT COUNCIL (DAY CARE CENTRE) BYE-LAWS
(Published on 30th December, 2005)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

1. Citation
2. Interpretation
3. Registration of day care centres
4. Registration licence to be displayed
5. Transfer of licence
6. Age of admission
7. Hours of operation
8. Premises of day care centres
9. Toilets
10. First aid requirements
11. Classroom equipment
12. Curriculum
13. Outdoor play areas
14. Kitchens
15. Staff
16. Pets
17. Smoking prohibited
18. Responsibilities of owner
19. Powers of entry
Schedule

IN EXERCISE of the powers conferred by section 33 of the Local Government (District Councils) Act, and with the approval of the Minister of Local Government, the Kgatleng District Council hereby makes the following Bye-Laws —

1. These Bye-Laws may be cited as the Kgatleng District Council (Day Care Centre) Bye-Laws, 2005.

Citation

2. In these Bye-Laws —

Interpretation

“Council” means the Kgatleng District Council;

“day care centre” means a place for the care, education and supervision of children below the age of 6;

“infectious diseases” includes diphtheria, cerebral - 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 a registration licence issued by the Council, authorizing him or her to operate a day care centre.

Registration of day care centres

(2) An application to operate a day care centre shall be made to the Council on Form 1 as set out in the Schedule.

(3) The Council may require the applicant to provide any such information as is necessary to determine the application for the day care centre.

(4) Upon receipt of the application, the Council shall cause to be conducted such inspection as it may consider appropriate to ensure that the premises of the day care centre comply with the relevant health and building control standards.

(5) Where the Council is satisfied that the proposed day care centre meets all the requirements of these Bye-Laws, it may on payment of P150.00 register the day care centre and issue to the applicant a registration licence on Form 2 as set out in the Schedule.

(6) A registration licence shall be valid for 12 months from the date of issue.

(7) An application to renew a registration licence shall be made on Form 3 as set out in the Schedule and the registration licence may be renewed on payment of P150.00.

Registration licence to be displayed

4. A registration licence shall be displayed in a conspicuous place in the principal office in the premises of the day care centre.

Transfer of licence

5. No person, to whom a licence has been issued may cede, transfer or lease the licence to another person.

Age of admission

6. A child who is above six years old shall not be enrolled at a day care centre.

Hours of operation

7. A day care centre shall operate between 7:00 hours and 17:00 hours on week days unless otherwise authorised by the Council.

Premises of day care centres

8. (1) Subject to sub Bye Law (2), an occupied residential house or a garage shall not be used as a day care centre.

(2) An occupied residential house may, with the written approval of the Council, be used as a day care centre where the part for the day care centre can be adequately and satisfactorily partitioned or separated from the part used for residential purposes.

(3) The size of the rooms to be used as classrooms shall be directly related to the number of children permitted to use them at one time, so that for each child there shall be equivalent of 1,5 square metres space.

(4) A day care centre shall have a room, equipped with a bed which has a mattress and clean linen, in which a sick child can rest and be isolated for the day.

(5) Premises used for day care centre shall be adequately and securely fenced in, and shall be adequately set back from busy roads.

Toilets

9. (1) A 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.

(2) Toilets for children shall be provided with standard junior toilets and handwash basins, so that there shall be one toilet and one handwash basin for every 15 children.

(3) Storage facilities for towels, face cloths and personal belongings of staff shall be separate from those of children.

First aid requirements

10. In a day care centre there shall be maintained, and readily accessible a first aid box or a cupboard containing an adequate supply of dressings, bandages, sterilized cotton wool, adhesive plasters, disinfectant, safety pins and a tourniquet.

<p>11. (1) A day care centre shall, considering the number of children attending the day care centre, provide adequate supply of equipment suitable for use in the day care centre, such as reading material, picture books, blackboard, toys, paints, crayons, moulding clay, puzzles and beads.</p>	Classroom equipment
<p>(2) The Council may require and approve additional equipment not referred to in sub Bye Law (1).</p>	
<p>12. The curriculum followed at a centre shall adhere to the standards set by the Ministry of Education.</p>	Curriculum
<p>13. (1) Outdoor play areas shall be adequate in size, providing a minimum area equivalent to not less than 1.5 cubic metres for each child attending the day care centre.</p>	Outdoor play areas
<p>(2) Outdoor play areas shall have a flat, generally dry surface, with adequate shade; and shall be provided with play equipment such as sand pits, swings, slides and climbing frames, which are to the satisfaction of the Council, and adequate for the number of children attending the day care centre.</p>	
<p>14. (1) Where food is provided by a day care centre, there shall be available in the kitchen —</p>	Kitchens
<p>(a) adequate hot and cold water; (b) adequate hygienic storage space for food; (c) adequate cutlery and crockery of a suitably hygienic type; and (d) a detailed menu of food and provision of a 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>	
<p>15. (1) A day care centre shall have a minimum of two qualified teachers to supervise and look after children at the centre.</p>	Staff
<p>(2) There shall always be at least one teacher on duty for every 30 children at the day care centre.</p>	
<p>(3) Assistants may be employed to assist the qualified teachers to supervise and look after the children.</p>	
<p>(4) All staff employed at a day care centre shall be — (a) medically examined, including being x-rayed, before taking up employment, and thereafter at 6 monthly intervals; and (b) at all times wear clean uniform or clothing.</p>	
<p>16. Pets shall not be permitted within the day care centre without the written permission of the Council.</p>	Pets
<p>17. (1) Smoking is prohibited within the premises of a day care centre.</p>	Smoking prohibited
<p>(2) A notice shall be displayed in a conspicuous place at the entrance of the day care centre, on which it shall be written in English and Setswana, words to the effect that smoking is prohibited within the premises of the day care centre.</p>	
<p>(3) A person who contravenes sub Bye-law (1) commits an offence and is liable to a fine of P200 or to imprisonment for three months.</p>	
<p>18. (1) The owner of a day care centre shall ensure that any child or member of staff suffering from, or suspected to be suffering from an infectious disease is immediately isolated from contact with other children or staff members.</p>	Responsibilities of owner
<p>(2) 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 day care centre.</p>	
<p>19. (1) An officer of the Council so authorised in writing by the Council secretary may at any reasonable time enter a day care centre for the purpose of inspection, and to ensure compliance with these Bye-Laws.</p>	Powers of entry
<p>(2) Where an officer of the Council who has inspected a day care centre reports in writing to the Council secretary that the day care centre has contravened any provision of these Bye Laws, such day care centre may be closed.</p>	

**SCHEDULE
(FORMS)**

Form 1

**APPLICATION TO REGISTER A DAY CARE CENTRE
(KGATLENG DISTRICT COUNCIL)
(Bye Law 3)**

(A) Particulars of the Applicant:

1. Name of the Applicant
2. Postal address of the Applicant
3. Residential address of the Applicant
4. Nationality of the Applicant
5. Where the Applicant is a non-citizen, resident permit number and date of expiry of the resident permit of the Applicant
6. Where the Applicant is a company, the registration number of the company
.....

(B) Proposed Centre:

1. Type of day care centre: baby care, day care centre, nursery, or pre primary school
(Tick where applicable)
2. Location of the day care centre:
 - (a) Village.....
 - (b) Ward.....
(Please attach a copy of a sketch map showing the location of the school in relation to main routes or busy roads)
3. Premises:
 - (a) Area of school plot
 - (b) Number of classrooms or rooms.....
 - (c) Number of Children per classrooms
 - (d) State the number of toilets for children and number of toilets for Staff
.....
(Also attach a list of all equipments at the school)

4. Staff:
- (a) Number of teachers:.....
 - (b) Qualifications and experience of the teachers:.....
 - (c) Number of assistant teachers:.....
 - (d) Number of support staff:.....

* (Attach the following documents to the application):

- (a) Zoning approval or land use permit,
- (b) Fire inspection report,
- (c) Environmental health report,
- (d) Certificate of incorporation where the applicant is a company.

I, the undersigned state that the information given in this application is to the best of my knowledge true and accurate.

Applicant's signature.....

Date.....

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The Health Works and Development Committee of Kgatleng District Council, meeting at..... on..... have studied the foregoing application.

- A. The Health Works and Development Committee is of the opinion that the proposedmeet the requirements as provided by the Bye- Laws.
- B. The Health Works and Development Committee does not recommend registration of the day care centre for the following reasons:.....

Date:

Signed:

Chairman..... Council Secretary.....

FORM 2
REGISTRATION LICENCE
(Not Transferable)
(Bye Law 3(5))

Licence No.....

(Name)..... is hereby licensed in accordance with Bye- Law 3 (5) of the Kgatleng District Council (Day Care Centre) Bye Laws to operate a baby care centre/day care centre /nursery/ pre primary school (tick where applicable) known asat (village and ward)

Conditions (if any) applicable.....

This permit expires on the

Date of issue Fee paid

.....
Licensing officer.

FORM 3
RENEWAL APPLICATION
(KGATLENG DISTRICT COUNCIL)
(Bye Law 3(7))

(A) Particulars of the Applicant:

1. Name of the Applicant
2. Address of the Applicant
3. Nationality of the Applicant
4. Where the Applicant is a non-citizen, resident permit number and date of expiry of the resident permit of the Applicant
5. Where the Applicant is a company, the registration number of the company

I, the undersigned state that the information given in this application is to the best of my knowledge true and accurate.

Applicant's signature:

Date:

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Having considered the application for the renewal of a day care centre licence of

.....
dated..... licence No.is hereby renewed in

accordance with Bye law 3(7) of these Bye - Laws.

Conditions (if any) applicable