

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

**SOUTH EAST DISTRICT COUNCIL (EARLY CHILDHOOD CARE  
AND EDUCATION CENTRE) BYE-LAWS, 2010**

*(Published on 4th June, 2010)*

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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 South East District Council hereby makes the following Bye-Laws —

PART I — *Preliminary*

1. These Bye-Laws may be cited as the South East District Council (Early Childhood Care and Education Centre) Bye-Laws, 2010. Citation
2. In these Bye Laws, unless the context otherwise requires — Interpretation  
“Authorised persons” means officers from the Departments of Social and Community Development, Bye-Law and Physical Planning and Health;

“centre” means a place for the supervision of young children below school age licensed under bye-law 3 (3);

“Council” means the South East District Council;

“communicable disease” includes diphtheria, cerebral spinal meningitis, whooping cough, measles, mumps, German measles (rubella) chicken pox, scabies, ringworm on scalp or body and typhoid fever.

Registration  
of a centre

3. (1) A person shall not operate a centre without prior approval and registration by the Council.

(2) A person who wishes to operate a centre shall make an application for a licence to the Council, in Form 1 set out in the Schedule, giving details of —

- (a) the premises intended to be used;
- (b) the names and qualifications of all the teachers and other assistants to be employed at the centre; and
- (c) any other information with regard to the proposed centre as the Council may require.

(3) Where the 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 licence in accordance with Form 2 set out in the Schedule.

Validity of  
licence

4. (1) A registration licence issued in terms of bye-law 3 (3) shall be valid for 12 months from the date of issue, but thereafter renewable from year to year, on payment of an annual fee of P100.

(2) A person wishing to renew a registration licence shall make an application to the Council 21 days before the expiry date of the licence, in Form 3 set out in the Schedule and, upon payment of a fee of P100, the Council may renew the licence and make an endorsement of conditions it considers necessary.

Display of  
licence

5. A licence holder shall conspicuously display the licence on the wall of the principal’s office of the centre.

## PART II — Premises

Premises of  
a centre

6. The Council shall not issue a licence to an applicant where the proposed premises are in a residential area.

Facilities  
to be  
maintained

7. (1) Premises used as a centre shall —

- (a) be walled or fenced;
- (b) be set back at least 25 metres from busy roads;
- (c) be constructed in accordance with and from material permitted by the appropriate building regulations;
- (d) have floors that are smooth and are either tiled or carpeted;
- (e) be adequately lit and ventilated in every classroom; and
- (f) be able to meet the needs of children with special educational needs.

(2) The size of rooms to be used as classrooms for the centre shall directly relate to the number of children permitted to use them, so that for each child there shall be 1.5 square metres of floor space.

(3) In every centre there shall be a room equipped with a bed with mattress and clean bed linen, in which a sick child can rest and be isolated.

(4) The outdoor play areas shall —

- (a) provide a minimum area of not less than 2 square metres for each child attending the centre and, shall have a flat generally dry surface, with adequate shade;

- (b) be provided with play equipment such as sand pits, swings, slides and climbing frames to the satisfaction of the Council and adequate for the number of children attending at the centre; and
- (c) be free from sharp objects or any discarded material, equipment, or any other objects that may pose a danger to the children.
- (5) A centre shall have separate toilets for staff and for children which toilets shall be well lit and well ventilated and have running water.
- (6) Toilets for children shall be —
  - (a) separated according to gender; and
  - (b) installed with at least one standard junior toilet per 15 children, and with adjacent junior wash facilities.
- (7) A centre shall have at least one general facility for washing clothes, blankets and towels and any other linen used in the centre.
- (8) Storage facilities for towels, face cloths and personal belongings of staff shall be separate from similar facilities for children.
- (9) A centre that provides food to the children shall have in the kitchen —
  - (a) adequate hot and cold water;
  - (b) adequate and clean storage space for food;
  - (c) adequate cutlery and crockery; and
  - (d) a detailed menu of a balanced diet accessible for inspection.
- (10) Where food or formula is brought into a centre by the children, there shall be provided suitable and hygienic facilities for the storage and refrigeration of the food or formula.
- (11) A centre shall provide, to the satisfaction of the Council, age appropriate furniture and other equipment suitable for use in the centre including adequate supply of reading materials, picture books, blackboards, and toys for use by the children enrolled in the centre.
- (12) The Council may require or approve additional or alternative equipment to that referred to in sub-bye-law (11).

**8. (1)** A centre shall be maintained and have readily accessible first aid box containing adequate supply of dressings, bandages, sterilized cotton wool, adhesive plasters, disinfectant, safety pins and tourniquet.

First aid

(2) At least one staff member should have First Aid training.

**9.** Animals, whether pets or otherwise, shall not be brought within any area used for the purposes of a centre, without the written permission of the Council.

Pets

**10.** A person shall not smoke cigarette or any form of tobacco anywhere within the area of a centre and a notice to this effect shall be displayed prominently at the entrance to the centre.

Smoking prohibited

**PART III — Operation and staff of the centre**

**11.** A centre shall not operate —

Operation hours

- (a) on Saturday, Sunday or public holiday; or
- (b) outside the hours between 6.00 am and 6.00 pm.

**12. (1)** A centre shall not admit a child who is older than six years of age.

Age of admission

(2) Where a child who is to be admitted to a centre is over the age of six years, written permission must be obtained from the Council.

**13. (1)** There shall be at least one qualified teacher and an assistant per class of 25 children aged between two and a half and four and a half years.

Staff

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

Responsibilities  
of owners

(3) All staff employed at a centre shall, at all times while on duty, wear clean uniforms or clothing.

(4) Food handlers shall undergo medical examinations at least twice a year.

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

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

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

#### PART IV — *General provisions*

Powers of  
entry

15. An authorised officer of the Council may at any reasonable time enter a centre for the purpose of inspection and to ensure compliance with these Bye-Laws.

Closure of a  
centre

16. The Council may suspend or withdraw the licence of and require the closure of any centre that fails to comply with any of the provisions of these Bye-Laws.

Offences and  
penalties

17. A person who contravenes or does not comply with any of the provisions of these Bye-Laws and the owner of any centre which operates in contravention of these Bye-Laws, commits an offence and shall be liable to a fine not exceeding P200, or to imprisonment for a term not exceeding three months, or to both.

#### SCHEDULE

#### FORM 1

(bye-law 3 (2))

#### SOUTH EAST DISTRICT COUNCIL

All Correspondence should  
be addressed to:  
Council Secretary

Telephone No. 5381200

PRIVATE BAG 002

Telegraphic address: SEDICO

RAMOTSWA

Fax: 5390201/5391485

BOTSWANA

Reference No. SE G/2/5

#### APPLICATION TO REGISTER A CENTRE

#### (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) Particulars of proposed Centre:**

(1) TYPE OF CENTRE: Baby Care , Day Care Centre  /Nursery  or Pre-Primary School   
(Tick where applicable)

(2) LOCATION OF 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 classroom \_\_\_\_\_

D. State the number of toilets for children and number of toilets for staff \_\_\_\_\_

(Also attach a list of all equipment 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: \_\_\_\_\_

**FOR OFFICIAL USE ONLY**

The Community Development and Social Welfare Committee of South East District Council, meeting at \_\_\_\_\_ on \_\_\_\_\_ have studied the foregoing application.

A. The Community Development and Social Welfare Committee is of the opinion that the proposed \_\_\_\_\_ meet the requirements as provided by the Bye-Laws.

B. The Community Development and Social Welfare Committee does not recommend registration of the Centre for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Chairperson: \_\_\_\_\_

Council Secretary: \_\_\_\_\_

**FORM 2**  
*(bye-law 3 (3))*

**SOUTH EAST DISTRICT COUNCIL**

All Correspondence should  
be addressed to:  
Council Secretary

Telephone No.	5381200	PRIVATE BAG 002
Telegraphic address:	SEDICO	RAMOTSWA
Fax:	5390201/5391485	BOTSWANA
Reference No.	SE G/2/5	

**REGISTRATION LICENCE**

**(NOT TRANSFERABLE)**

Licence No. \_\_\_\_\_

Name: \_\_\_\_\_ has been permitted in terms of the  
South East District Council (Early Childhood and Education Centre) Bye-Laws, 2010 to run a

known as \_\_\_\_\_

on plot \_\_\_\_\_

Ward \_\_\_\_\_

Number of children approved on premises: \_\_\_\_\_

Hours of operation: From: \_\_\_\_\_ To: \_\_\_\_\_

This licence expires on 31st December: \_\_\_\_\_

Date of issue: \_\_\_\_\_

\_\_\_\_\_  
*LICENSING OFFICER*

\_\_\_\_\_  
*COUNCIL SECRETARY*

**FORM 3**  
*(bye-law 4 (2))*

**SOUTH EAST DISTRICT COUNCIL**

All Correspondence should  
be addressed to:  
Council Secretary

Telephone No. 5381200

PRIVATE BAG 002  
RAMOTSWA  
BOTSWANA

Telegraphic address: SEDICO

Fax: 5390201/5391485

Reference No. SEG/2/5

**RENEWAL OF AN EARLY CHILDHOOD CARE AND  
EDUCATION CENTRE LICENCE**

**(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: \_\_\_\_\_

**FOR OFFICIAL USE ONLY**

Having considered the application for renewal of an Early Childhood and Education Centre Licence of \_\_\_\_\_

dated \_\_\_\_\_ Licence No. \_\_\_\_\_ is hereby renewed in accordance with Bye-Law (4 (2)) of these Bye-Laws.

Conditions (if any) applicable \_\_\_\_\_

This permit expires on the \_\_\_\_\_

Date of renewal \_\_\_\_\_

Fee paid \_\_\_\_\_

\_\_\_\_\_  
*Licensing Officer*

MADE this 16th day of March, 2010.

\_\_\_\_\_  
*Council Secretary,  
South East District Council.*

Approved by:

\_\_\_\_\_  
**L. MOKALAKE,**  
*Minister of Local Government.*