



ANALYSIS

Title	1. Short Title 2. Child care centres
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1958, No. 52

An Act to amend the Child Welfare Act 1925

[26 September 1958]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Child Welfare Amendment Act 1958, and shall be read together with and deemed part of the Child Welfare Act 1925 (hereinafter referred to as the principal Act).

2. Child care centres—The principal Act is hereby amended by inserting, after section forty-five, the following section:

“45A. (1) The power conferred on the Governor-General by section forty-five of this Act is hereby extended to include power to make regulations providing for the registration, licensing, and control of child care centres.

“(2) Any such regulations may—

“(a) Prescribe minimum standards to be complied with to ensure the health, comfort, and safety of the children received in child care centres:

“(b) Limit or regulate the number of children that may be received in child care centres:

- “(c) Provide for the inspection of child care centres and confer rights of entry therein for the purposes of the regulations:
- “(d) Prescribe conditions to govern, or that may be imposed in respect of, the grant and transfer of licences for child care centres and the duties of licensees thereof:
- “(e) Provide for the renewal, suspension, and cancellation of licences, and prescribe the conditions subject to which licences may be granted and renewed and the fees payable in respect of the grant and renewal of licences:
- “(f) Confer rights of appeal against a refusal to grant a licence or a renewal of a licence or to approve a transfer of a licence or against the cancellation or suspension of a licence:
- “(g) Prescribe what records must be kept by licensees in respect of children cared for in child care centres:
- “(h) Exempt any child care centre or any class of child care centres from all or any of the provisions of the regulations:
- “(i) Prescribe fines for the breach of any provisions of the regulations, not exceeding fifty pounds in any case and, where the breach is a continuing one, not exceeding five pounds a day for every day or part of a day during which the breach has continued.
- “(3) In this section—
- “‘Child care centre’ means any premises which are or purport to be mainly for the care of three or more children under the age of seven years by the day or for part of the day or for any period of less than eight consecutive days, whether for reward or not; but does not include—
- “(a) Any premises in which children are placed pursuant to section twenty of this Act:
- “(b) Any children’s home registered under Part I of the Child Welfare Amendment Act 1927:
- “(c) Any premises licensed as a foster home under Part V of the Infants Act 1908:
- “(d) Any registered school within the meaning of the Education Act 1914 (whether or not residential accommodation is provided for children):
- “(e) Any free kindergarten recognised by the Minister of Education:

Section 103
No. 52
Substituted

Reg. 103
No. 52
Substituted

“(f) Any nursery play centre recognised by the Director of Education:

“(g) Any licensed private hospital:

“(h) Any institution under the control of the Department of Health or of a Hospital Board:

“(i) Any separate institution within the meaning of the Hospitals Act 1957: No. 8.

“(j) Any institution within the meaning of the Mental Health Act 1911:

“(k) Any premises in which all the children are members of the one family or are in the care of a relative:

“(l) Any other premises or class of premises declared by regulations under this section not to be a child care centre:

“‘Relative’, in relation to any child, means a parent, grandparent, brother, sister, or uncle or aunt (whether by consanguinity or affinity); and, in relation to an illegitimate child, includes a person who would be so related if the child was legitimate.”
