



**THE LAWS
OF
TRINIDAD AND TOBAGO**

**CHILDREN'S COMMUNITY
RESIDENCES, FOSTER CARE AND
NURSERIES ACT, 2000
(ACT NO. 65 OF 2000)**

UPDATED REVISION

*Prepared by the
—MINISTRY OF LEGAL AFFAIRS—
LAW REVISION COMMISSION*

LAWS OF TRINIDAD AND TOBAGO

**CHILDREN'S COMMUNITY RESIDENCES, FOSTER
CARE AND NURSERIES ACT, 2000**

ACT NO. 65 OF 2000

Act

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Note on Subsidiary Legislation

This Act contains no subsidiary legislation.

Note on Act No. 65 of 2000

A. Commencement Date

This Act is not yet in operation.

B. New Chapter Number

This Act, when proclaimed, will be published in the New Revised Edition and will be designated as Ch. 46:11.

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**CHILDREN'S COMMUNITY RESIDENCES,
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**CHILDREN'S COMMUNITY RESIDENCES,
FOSTER CARE AND NURSERIES ACT, 2000**

**An Act to make provision for the monitoring, licensing and
regulating of community residences, foster care and
nurseries in Trinidad and Tobago.**

[ASSENTED TO 23RD OCTOBER 2000]

Preamble.

WHEREAS it is enacted by section 13(1) of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution, and if any Act does so declare it shall have effect accordingly:

And whereas it is provided in subsection (2) of the said section 13, that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all members of the House:

And whereas it is necessary and expedient that this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.

PART I

PRELIMINARY

*Short title and
commencement.
[15 of 2008].

1. (1) This Act may be cited as the Children's Community Residences, Foster Care and Nurseries Act, 2000.

***(2)** This Act comes into operation on such day as is fixed by the President by Proclamation.

Interpretation.
[15 of 2008].

2. In this Act—
“Authority” means the Children's Authority established under the Children's Authority Act;

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* See Note on page 2.

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- “Children’s Home” means a residence for the care and rehabilitation of children and includes orphanages as defined in the Children Act; Ch. 46:01.
- “community register” means the register of children in the care of a community residence kept in accordance with section 22.
- “community residence” means a Children’s home or rehabilitation centre and includes Industrial Schools and Orphanages referred to in the Children Act;
- “Manager” means a person who operates a community residence in accordance with the provisions of section 21;
- “Minister” means the Minister to whom responsibility for the welfare of children is assigned;
- “nursery licence” means a licence issued under section 44;
- “Register of residences” means the Register of licensed community residences kept in accordance with section 18;
- “rehabilitation centre” means a residence for the rehabilitation of youthful offenders, in which youthful offenders are lodged, clothed, and fed as well as taught and includes Industrial Schools as defined in the Children Act;
- “relative” has the meaning assigned to it under the Children’s Authority Act; and Ch. 46:10.
- “residence licence” means a licence issued under section 5.

PART II

LICENSEES OF COMMUNITY RESIDENCES

3. (1) No person shall manage a community residence without a residence licence issued by the Authority. Requirement to be licensed. [15 of 2008].

(2) No child shall be cared for and provided with accommodation in a community residence unless a residence licence has been issued in respect of that community residence under subsection (1).

(3) In this Part “licensee” means the person to whom a residence licence is granted under section 5.

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Existing
community
residences.
[15 of 2008].

4. (1) All managers of existing community residences shall, within three months upon the coming into force of this Act, apply to the Authority for a residence licence.

(2) The Authority shall, within six months of receiving an application under subsection (1), issue or refuse a licence.

Application for
residence
licence.
[15 of 2008].

5. (1) A person intending to operate a community residence shall make an application for a residence licence to the Authority.

(2) An application shall be made in the prescribed manner and shall be accompanied by—

- (a) such particulars as may be prescribed; and
- (b) such fee as the Authority may prescribe.

(3) The Authority shall issue a residence licence where it is satisfied that a residence with respect to which an application has been made, complies with such requirements as may be prescribed.

6. (*Repealed by Act No. 15 of 2008*).

Residences to
be inspected.

7. The Authority shall, prior to the issue of a residence licence, inspect such residence to ascertain its suitability for the purpose.

Issue of
residence
licence.
[15 of 2008].

8. (1) Where the Authority is satisfied that the applicant has complied with the requirements for the issue of a residence licence the Authority shall issue to the applicant a residence licence in respect of the community residence and the residence licence shall contain provisions setting out the following:

- (a) the terms and conditions of the residence licence;
- (b) the procedures for enforcement of the terms and conditions of the residence licence;
- (c) the nature of the service to be provided by the licensee; and

(d) any other matter relevant to the provision of the service which, in the opinion of the Authority should be included in the residence licence.

(2) A residence licence issued under subsection (1) shall be valid for one year and may be renewed annually upon application by the licensee.

(2A) Notwithstanding subsection (2), where an application is made for the renewal of a residence licence, the existing licence shall remain valid until the determination of the application by the Authority.

(3) The residence licence issued under subsection (1) shall be displayed in a conspicuous place at the community residence.

9. (1) It shall be a condition of every residence licence issued under this Part, that—

Conditions.
[15 of 2008].

(a) any authorised representative of the Authority shall, upon presentation of his official identification, be allowed entry into the premises of a licensed residence for any of the purposes of this Act;

(b) the licensee or Manager of a residence shall allow any person authorised by the Authority to inspect the books of accounts, papers, records and documents of the residence at any reasonable time;

(c) the licensee shall furnish any information required by the Authority which is in the possession or control of the licensee or Manager of the community residence; and

(d) the licensee shall not surrender his residence licence without giving the Authority six months notice of his intention to so surrender.

(2) The information referred to in paragraph (c) shall be prepared and furnished to the Authority within such time and in

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such manner and form and with such particulars and certification as may be required by the Authority.

Penalty for
furnishing false
information.

10. Any licensee or Manager of a community residence who wilfully furnishes false information to the Authority, commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

Revocation of
residence
licence.
[15 of 2008].

11. (1) Where a licensee is in breach of any provision of this Part or any term or condition of the residence licence, the Authority may revoke his licence.

(2) Where the Authority is dissatisfied with the conditions, rules, management or superintendence of a community residence it may at any time, by notice served on the licensee or the Manager of the community residence, require that corrective measures be taken within such time as the Authority may specify in such notice.

(3) Where a notice has been served on a licensee under subsection (2) and the licensee has failed to take the corrective measures required, the Authority may serve notice on the licensee or the Manager of the community residence of its decision to revoke the residence licence as from such time as may be specified in the notice, being not less than six months after the date of the notice.

Notice of
revocation.
[15 of 2008].

11A. (1) The Authority shall serve on the licensee or Manager written notice of its intention to revoke a residence licence fourteen days prior to the date of revocation.

(2) A notice revoking a residence licence shall state the grounds on which the Authority intends to revoke the residence licence and where corrective measures are possible, shall require that they be taken within such time as the Authority shall specify in the notice.

(3) Notwithstanding subsection (1), where the Authority determines that no corrective measures are possible, the notice of the revocation of the residence licence shall take immediate effect.

12. Where a licensee of a community residence wishes to surrender his residence licence he may, on giving six months notice in writing to the Authority of his intention so to do, surrender such residence licence and accordingly, at the expiration of six months from the date of the notice the community residence shall cease to be a community residence.

Surrender of residence licence by licensee. [15 of 2008].

13. A child shall not be received into a community residence in pursuance of this Part after the date of the receipt by the Manager of a notice of revocation of the residence licence under section 11 or after the date of a notice of surrender of the residence licence under section 12.

Effect of revocation or surrender of residence licence. [15 of 2008].

14. (1) Where an application for a residence licence to manage a community residence is refused or it is proposed to revoke the residence licence, the applicant or the licensee as the case may be, may, within fourteen days from the receipt of the notice of refusal or revocation, appeal to the Minister in writing against the refusal or revocation, setting out the grounds of his appeal.

Appeal. [15 of 2008].

(2) In furtherance of an appeal made to the Minister under subsection (1), the Minister—

- (a) shall consider the appeal within six weeks of the date of receipt of the appeal; and
- (b) may dismiss the appeal giving his reasons in writing; or
- (c) may direct the Authority to withdraw such refusal or revocation, and issue or re-issue a residence licence, and the Authority shall comply with any direction given to it by the Minister under this subsection.

(3) Where the Minister dismisses an appeal made to him under subsection (1), the person aggrieved may, by Fixed Date Claim served on the Authority and the Minister, appeal to a Judge who may—

- (a) pending a decision in the matter, make such interim order as he sees fit, to preserve the

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respective interests of the appellant, the Authority and the Minister in this matter; or
(b) dismiss the appeal or order that the listing be revoked or amended.

Transfer of children.
[15 of 2008].

15. (1) Where a community residence ceases to be a licensed community residence, the Authority shall transfer the children detained or kept therein to other community residences.

(2) The Authority upon such transfer under subsection (1), shall inform the Court of all such transfers.

Publication of grant, etc., of residence licence.
[15 of 2008].

16. The Authority shall publish in the *Gazette*, a notice of the issuance, revocation or surrender of a residence licence, within one month from the date of the issuance, revocation or surrender of such residence licence.

Penalty for operating without residence licence.
[15 of 2008].

17. (1) Any person who manages a community residence without a residence licence issued by the Authority or breaches the conditions of the residence licence referred to in section 9, commits an offence and shall on summary conviction be liable to a fine of ten thousand dollars and in the case of a continuing offence to a fine of five hundred dollars for each day the offence continues.

(2) Subsection (1) shall not apply where such person has submitted an application for a residence licence to the Authority pursuant to section 5 and has not received notice of the refusal of such application.

Register of Residences.
[15 of 2008].

18. (1) The Authority shall maintain, in accordance with any regulations that may be made, a Register of Residences in Trinidad and Tobago licensed under this Act.

(2) The Register of residences shall be open to public inspection during office hours.

Proof of registration.
[15 of 2008].

19. (1) Publication in the *Gazette* of a notice of the grant, withdrawal or surrender of a residence licence shall be sufficient evidence of a residence licence having been duly granted, revoked or surrendered.

(2) A certificate purporting to be signed by the Manager of a community residence, to the effect that the child therein

named was duly received into, and is at the date of the signing thereof detained in the community residence or has been otherwise dealt with according to law, shall be evidence of the matters therein stated.

20. A certificate signed by the Manager stating that any sum due from a parent or other person for the maintenance of a child is overdue and unpaid, shall be evidence of the facts stated therein.

Certification by
Manager.
[15 of 2008].

PART III

MANAGEMENT OF COMMUNITY RESIDENCES

21. (1) There shall be a Manager of a community residence who shall have the management and control of the community residence.

Manager of
community
residence.

(2) No person shall function as a Manager of a community residence unless he possesses qualifications prescribed by the Authority.

22. In addition to any other duties and functions under this Act, the Manager of a residence shall—

Requirements of
Manager.
[15 of 2008].

- (a) keep a register of all children in the care of the community residence and such register shall contain such information as may be prescribed;
- (b) maintain proper accounts and submit to the Authority annually, a copy of the audited accounts; and
- (c) maintain the community residence in accordance with the requirements under this Act.

23. (1) The Authority shall make Rules for the proper management of all community residences.

Rules.
[15 of 2008].

(2) The Manager of a community residence may at anytime, and shall whenever so required by the Authority, make Rules subject to the approval of the Authority for the management and discipline of the children in such residence.

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Alteration to
buildings.

24. (1) The licensee or Manager of any community residence shall not add to, alter or cause to be added to or altered any buildings of a community residence without first notifying the Authority and obtaining its approval.

(2) An approval referred to in subsection (1) shall be given or refused within three months of the notification being given.

Children in
existing
community
residences.
[15 of 2008].

25. (1) Where, on the coming into force of this Act, a community residence is in existence, the Manager of such residence shall within sixty days or such further period as determined by the Authority, provide the Authority with the following information in respect of every child in its care:

- (a) the name, date of birth and sex of such child;
- (b) the names, addresses and contact numbers of the parents, brothers, sisters and other close relatives of such child where they can be ascertained;
- (c) the circumstances under which the child came to be in the community residence; and
- (d) the treatment plan prepared in respect of such child.

(2) The Authority upon receiving such information shall, as soon as practicable, evaluate the child and the suitability of the placement of the child in the community residence.

(3) Upon completing its evaluations under subsection (2), the Authority may direct the Manager of the community residence to take all necessary steps to ensure proper care of the child.

(4) Where the Authority is of the opinion, that the community residence in which a child has been placed is not suitable, having regard to the needs of such child, the Authority shall make an application to the Court for an Order under section 25 of the Children's Authority Act.

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26. (1) Where a community residence receives a child in respect of whom no Care Order has been made the Manager of such community residence shall—

Reception of child by a community residence.

- (a) within twenty-four hours of receiving the child inform the Authority of the reception; and
- (b) ensure that such child is brought to the Authority within seventy-two hours of such receipt.

(2) The Authority upon receipt of such information under subsection (1)(a), record that reception by the community residence, and the same procedure for receiving a child under section 22 of the Children's Authority Act shall apply to that child when brought to the Authority by such community residence under subsection (1)(b).

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27. (1) The Authority may authorise one of its officers, at all reasonable times to enter any community residence to inspect the premises and the children so received therein, the arrangements for their welfare, and any records relating to them kept in pursuance of this Part.

Power of entry and inspection. [15 of 2008].

(2) Where the officer referred to subsection (1), is refused admission to any premises, or has reasonable cause to believe that children are being received or kept in premises in contravention of this Act, he may on warrant issued by the Court enter such premises.

(3) Any person who obstructs an officer authorised to make such entry, in the exercise of his powers, under the Act commits an offence and is liable on summary conviction to a fine of five thousand dollars.

PART IV

FOSTER CARE OF CHILDREN

28. There is established a system of foster care in Trinidad and Tobago to be managed by the Authority.

Establishment of foster care system. [15 of 2008].

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Application for
foster parent.
[15 of 2008].

29. (1) Where a person wishes to become a foster parent he shall apply to the Authority for approval in the prescribed form.

(2) The Authority on receiving an application under subsection (1) shall cause all investigations necessary to be conducted to determine the suitability of—

- (a) the applicant to be a foster parent; and
- (b) the home of the applicant, to receive a child for foster care.

(3) In this part—

- (a) “foster care” means the assuming of temporary care, maintenance and parental obligations by an approved foster parent in respect of a foster child;
- (b) “foster child” means a child who has been identified by the Authority as suitable for foster care;
- (c) “foster parent” means a person approved under subsection (1) to receive and provide temporary care for a foster child; and
- (d) “foster home” means the home of a foster parent.

Register.
[15 of 2008].

30. (1) The Authority shall cause a Register of approved foster parents to be maintained.

(2) Approved foster parents shall be subject to annual reviews by the Authority.

(3) Notwithstanding subsection (2), the Authority may at any time cancel the registration of an approved foster parent.

(4) The Authority shall give written notification of the cancellation of registration to the foster parent.

Foster parents to
be trained.
[15 of 2008].

31. Where an applicant is to be made a foster parent, the Authority shall cause the applicant and members of his household to be suitably trained in the roles, function and duties involved in foster care.

32. (1) It shall be the responsibility of the foster parent to look after the health, education and welfare needs of the foster child in his care.

Responsibility of foster parents. [15 of 2008].

(2) The Authority shall authorise an officer to visit from time to time, a foster child and the premises in which he is being kept in order to satisfy itself as to whether the health, educational and welfare needs of the child are being met and to give where necessary advice or directions to the foster parents as to the care of the child.

(3) Any person who receives a foster child and fails or neglects to look after the health, educational and welfare needs as specified in subsection (1), commits an offence and is liable on summary conviction to a fine of ten thousand dollars and twelve months imprisonment.

33. (1) Where an officer authorised to visit foster children is refused admission to any premises where a foster child is being kept or has reason to believe that a child is being kept in any premises in contravention of this Part, he may apply to the Court for a warrant to enter such premises.

Refusal of foster parent to allow visit. [15 of 2008].

(2) Where the Court, is satisfied, on sworn testimony, that admission has been so refused, or that there are reasonable grounds to believe that an offence under this Part has been committed, the Court may grant a warrant authorising the officer to enter the premises and remove the foster child therefrom.

34. (1) A person shall not receive or keep a foster child without the consent of the Authority—

Persons prohibited from receiving foster children. [15 of 2008].

- (a) where that child has been previously removed from the care of that person under this Part; or
- (b) in any premises from which any child has been removed under this Part by reason of the premises being dangerous or unsanitary or by reason of the premises being unfit as to endanger the health of the child.

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(2) Any person who keeps or causes a foster child to be kept in contravention of this section, commits an offence and is liable on summary conviction to a fine of ten thousand dollars and twelve months imprisonment.

Removal of foster children kept in unsuitable premises or by unsuitable persons. [15 of 2008].

35. Where a foster child is to be received or is being kept—

- (a) in any premises which are unsanitary, overcrowded or dangerous;
- (b) by any person who by reason of old age, infirmity, ill-health, negligence, inebriety, immorality or criminal conduct or for any other reason is unfit to have the care of the child;
- (c) in an environment which is detrimental to the child; or
- (d) in any premises or by any person in contravention of the provisions of this Part, the Authority may—
 - (i) where the child is the subject of a Care Order placing him in foster care, apply to the Court for an Order to remove that child to the care of another approved foster parent, until such time as the child is returned to his relatives or other arrangements are made with respect to him; or
 - (ii) where the child is not the subject of a Care Order placing him in foster care, remove that child to the care of another approved foster parent, until such time as the child is returned to his relatives or other arrangements are made with respect to him.

Authority to be notified of death of foster child.

36. (1) Where a foster child dies while in the care of a foster parent, the foster parent shall, within twenty-four hours of the death, give notice in writing thereof to the Authority.

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(2) Where a person is required to give notice under this section and fails to give such notice within the time specified he commits an offence and shall be liable on summary conviction to a fine of five hundred dollars and to imprisonment for a term of six months.

37. (1) No person shall advertise to offer foster care services and no advertisement indicating that a person will offer foster care services shall be published.

Prohibition of advertisements offering to undertake care of children. [15 of 2008].

(2) Any person who contravenes this section commits an offence and shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for a term of one year.

38. Where a person who has received a foster child changes his residence he shall, not less than seven days before moving, give notice to the Authority of the intended change of residence except that where an immediate change of residence is necessitated by any emergency, a notice may be given at any time within forty-eight hours after the change of residence.

Notice to be given of change of residence.

39. Where a foster child leaves the care of its foster parent with whom he was placed without the permission of that foster parent, the foster parent shall, within twenty-four hours thereof, give the Authority notice that the child has left the foster home.

Foster parent to give notice.

40. Any person who is required to give notice under section 38 or 39 and fails to give notice within the time specified for giving the notice, commits an offence and shall be liable on summary conviction to a fine of five hundred dollars and the Court may make an order under section 25 of the Children's Authority Act in respect of that child.

Penalties for failure to give notice.

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41. The provisions of this Part shall not apply to—

Exemptions. [15 of 2008].

(a) any relative or legal guardian of a child who undertakes the care and maintenance of that child; or

(b) any person who undertakes the care and maintenance of a child named as a fit person under section 23(1) of the Children Act or other statutory provision.

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- (c) any person who has been granted a release on licence under section 56 (1) of the Children Act, or into whose care a child has been released from a community residence under section 57 of the Children Act.

PART V

NURSERIES

Restriction on
management of
nurseries.
[15 of 2008].

42. (1) No person shall manage a nursery without a nursery licence issued by the Authority.

(2) No child shall be cared for in a nursery unless a nursery licence has been issued in respect of that nursery under subsection (1).

(3) In this Part—

(a) “nursery” includes “day care” and means any premises used for the care of children under the age of six years for material reward and for periods which exceed one hour provided however that ordinary arrangements for the care of children within a family shall not be included; and

(b) “licensee” means the person to whom a nursery licence is granted under section 44.

(4) Nothing in this section shall be construed as preventing a child from being received by a nursery during the school vacation, on public holidays or public festival days.

Existing
nurseries.
[15 of 2008].

43. (1) All managers of existing nurseries shall, within three months from the coming into force of this Act, apply to the Authority for a nursery licence.

(2) The Authority shall within six months of receiving an application under subsection (1), issue or refuse a licence.

(3) Where the Authority refuses to grant a licence it shall, upon request by the applicant, give its reasons for refusal in writing.

44. (1) A person managing or intending to manage a nursery shall apply to the Authority for a nursery licence. Application for nursery licence. [15 of 2008].

(2) An application shall be made in the prescribed manner and shall be accompanied by—

- (a) such particulars as may be prescribed; and
- (b) such fees as the Authority may prescribe.

(3) The Authority shall issue a nursery licence where it is satisfied that a nursery with respect to which an application has been made complies with such requirements as may be prescribed.

45. A nursery licence shall not be granted under section 44, unless the Authority is satisfied that the applicant has— Requirements for registration. [15 of 2008].

- (a) made adequate arrangements for health care, safety, security, well-being and nourishment of the children received in the nursery;
- (b) made provision to ensure that the children received by the applicant are under adequate medical care as may be necessary;
- (c) made provision for records to be kept in relation to the children received at the nursery containing such particulars as may be specified by the Authority;
- (d) made provision for adequate staff with a proper staff-to-child ratio as specified by the Authority;
- (e) ensured that the nursery conforms with Public Health and Safety Regulations; and
- (f) met such other requirements as may be prescribed by the Authority.

46. The Authority shall, prior to the issuing of a nursery licence, inspect such nursery to ascertain its suitability for the purpose. Nursery to be inspected.

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Penalties for failure to licence. [15 of 2008].

- 47.** (1) A person who manages a nursery—
(a) without a licence issued by the Authority; or
(b) who fails to comply with any of the requirements specified in section 45,

commits an offence and is liable on summary conviction to a fine of five thousand dollars.

(2) Subsection (1)(a) shall not apply where such person has submitted an application for a nursery licence to the Authority pursuant to section 43 and has not received notice of the refusal of such application.

Change of residence. [15 of 2008].

48. Where a person who manages a nursery acquires new premises or wishes to change the residence, he shall give notice thereof to the Authority and shall not manage the new premises as a nursery until the approval of the Authority is obtained.

Revocation of nursery licence. [15 of 2008].

49. Where a licensee is in breach of any provision of this Part or any term or condition of the nursery licence, the Authority may revoke the nursery licence.

Notice of revocation. [15 of 2008].

50. (1) Not less than fourteen days before revoking any nursery licence, the Authority shall send to the licensee notice of its intention to revoke such licence.

(2) Every such notice shall state the grounds on which the Authority intends to revoke the nursery licence and where corrective measures are possible, shall require that these be taken within such time as the Authority shall specify in the Notice.

(3) Where no corrective measures are possible the notice shall revoke the licence with immediate effect.

Appeals. [15 of 2008].

51. (1) Where an application for a nursery licence is refused or revoked or it is proposed to revoke the nursery licence, the applicant or the licensee may, within fourteen days of the receipt of the notice of refusal or revocation, appeal to the Minister in writing against such refusal or revocation or proposed revocation setting out the grounds of his appeal.

(2) Where an appeal is made to the Minister under subsection (1), the Minister—

- (a) shall consider the appeal within six weeks of the date of receipt of the appeal; and
- (b) may dismiss the appeal giving his reasons in writing; or
- (c) may direct the Authority to withdraw such notice and the Authority shall comply with any direction given to it by the Minister under this subsection.

(3) Where the Minister dismisses an appeal made to him under subsection (1), the person aggrieved by the refusal or revocation of the licence may, by originating summons served on the Authority and the Minister, appeal to a Judge who may—

- (a) pending a decision in the matter, make such interim order as he sees fit, to preserve the respective interest of the appellant, the Authority and the Minister in this matter; or
- (b) dismiss the appeal or order that the licence be issued or re-issued.

52. (1) Any person authorised by the Authority may at all reasonable times enter a nursery and inspect the premises and the children so received therein, the arrangements for their welfare, and any records relating to them kept in pursuance of this Part.

Power of entry and inspection. [15 of 2008].

(2) Where any person authorised as aforesaid is refused admission to any premises, or has reasonable cause to believe that children are being received or kept in a person's home or in any other premises in contravention of this Act, he may apply to the Court for a warrant to enter such premises.

52A. (1) This Part shall not apply to—

- (a) infant and nursery schools or departments of schools providing education suitable for children under the age of five years in the Public School System under section 12(1)(a) of the Education Act;

Inapplicability of Part V. [15 of 2008].

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- (b) primary schools or departments of schools providing education suitable for children of age five to twelve years in the Public School System under section 12(1)(b) of the Education Act; and
- (c) private institutions providing early childhood care and education to children between the ages of three to six years.

PART VI

MISCELLANEOUS

Regulations.
[15 of 2008].

53. (1) The Authority shall with the approval of the Minister, make Regulations with respect to the following matters:

- (a) the management of any community residence and discipline of the children therein, and to prescribe the punishment not exceeding \$1,000.00 for all offences committed against the rules or discipline of any community residence;
- (b) the determination of the sums or allowances from time to time to be paid or made out of moneys provided by Parliament, for the upkeep and the expenses incidental thereto of any community residence or foster home;
- (c) the allowances from time to time to be made out of moneys provided by Parliament for the maintenance and support of children detained in any community residence or foster home;
- (d) the imposition of requirements as to the accommodation and equipment to be provided in residences, foster homes and nurseries;
- (e) medical arrangements to be made for protecting the health of the children in community residences and foster homes;
- (f) the provision of information to the Authority by the Managers as to the facilities provided for the parents or guardians of children in

community residences and foster homes, to visit and communicate with the children and where not so provided to authorise the Authority to give directions as to the provisions of such facilities; and

(g) all such other matters and things as may appear necessary or expedient or are required to be prescribed for effectively carrying into operation the provisions of this Act.

(2) Regulations made under this Act shall be subject to affirmative resolution of Parliament.

(3) The Minister may also prescribe the forms to be used for the purposes of this Part and all such forms so prescribed shall be published in the *Gazette*.

54. Where in any other written law reference is made to an orphanage or industrial school such references shall be read as references to a children's home or a rehabilitation centre, respectively.

Construction of
certain
references.
[15 of 2008].
