

SUBSIDIARY LEGISLATION 327.323

**REGISTRATION OF CHILDCARE FACILITIES
AS EDUCATIONAL ESTABLISHMENTS
REGULATIONS**

1st July, 2007

LEGAL NOTICE 54 of 2008.

1. The title of these regulations is the Registration of Childcare Facilities as Educational Establishments Regulations. Citation.

2. In these regulations, unless the context otherwise requires: Interpretation.

"facility" means any establishment used for the regular provision of child day care services for children under three years, including establishments such as playschools, nurseries and home-based childcare facilities;

"Department" means the Department for Social Welfare Standards;

"standards" means the Standards for Child Day Care Facilities issued by the Ministry of Education, Youth and Employment and the Ministry for the Family and Social Solidarity.

3. (1) Every person responsible for a facility may apply to the Minister for that facility to be registered as an educational establishment with the Education Division. Application for registration.

(2) The Minister may accept such an application if:

(a) it is duly filled in and accompanied with all necessary documentation; and

(b) the Department has certified that the facility is registered with it and that the facility meets the criteria established by the standards.

(3) The documentation which shall accompany the application shall include:

(a) a description of the activities to be included in the programme offered by the facility, together with details regarding the educational value of the programme; and

(b) information regarding any fees and, or expenses mentioned in regulation 5(2).

(4) The registration of the facility shall be valid for one year and the facility shall apply every year to renew its registration.

4. When the facility applying for registration under these regulations is also licensed to operate a school under the Education Act, the programme offered by the facility shall not be the same as the programme of studies offered by the school. Contents of the programme. Cap. 327.

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Fees and other
expenses.

5. (1) The person responsible for the facility shall, before accepting any child to attend the facility, inform the parents of any fees and, or other expenses involved.

(2) The Minister shall also be informed in writing regarding these fees and, or expenses, and shall give his approval together with the approval for the registration of the facility with the Education Division.

VAT exemption.

Cap. 406.

6. The registration of a facility with the Education Division under these regulations shall have the effect of exemption under article 12 of Part Two in the Fifth Schedule to the Value Added Tax Act.
