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STATUTORY INSTRUMENTS

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**1995 No. 755**

**The Children (Northern Ireland) Order 1995**

**PART XI**

**CHILD MINDING AND DAY CARE FOR YOUNG CHILDREN**

**Requirements to be complied with by persons providing day care for young children**

**126.**—(1) Where an authority registers a person under Article 118(1)(b) it shall impose such reasonable requirements on him as it considers appropriate in his case.

(2) Where a person is registered under Article 118(1)(b) with respect to different premises within the area of the same authority, this Article applies separately in relation to each registration.

(3) In imposing requirements on him, the authority shall—

- (a) specify the maximum number of children, or the maximum number of children within specified age groups, who may be looked after on the premises;
- (b) require him to secure that the premises, and the equipment used in them, are adequately maintained and kept safe;
- (c) require him to notify the authority of any change in the facilities which he provides or in the period during which he provides them;
- (d) specify the number of persons required to assist in looking after children on the premises;
- (e) require him to keep a record of the name and address of—
  - (i) any child looked after on the registered premises;
  - (ii) any person who assists in looking after any such child; and
  - (iii) any person who lives, or is likely at any time to be living, at those premises;
- (f) require him to notify the authority in writing of any change in the persons mentioned in sub-paragraph (e)(ii) and (iii).

(4) The Department may by regulations make provision as to—

- (a) requirements which must be imposed by an authority under this Article in prescribed circumstances;
- (b) requirements of such descriptions as may be prescribed which must not be imposed by an authority under this Article.

(5) In paragraph (3) references to children looked after are to children looked after in accordance with the provision of day care made by the registered person.

(6) In determining the maximum number of children to be specified under paragraph (3)(a), the authority shall take account of the number of other children who may at any time be on the premises.

(7) Where, in addition to the requirements mentioned in paragraph (3), an authority imposes other requirements, those other requirements must not be incompatible with any of the paragraph (3) requirements.

(8) An authority may at any time—

- (a) vary any requirement imposed under this Article;
- (b) impose any additional requirement; or
- (c) remove any requirement.