

# *The Child Care Regulations, 2001*

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Chapter C-7.3 Reg 2 (effective July 5, 2001) as amended by an [Errata Notice\\*](#) published in *The Saskatchewan Gazette* on September 28, 2001 and Saskatchewan Regulations [50/2003](#), [54/2004](#), [50/2005](#), [82/2006](#), [47/2007](#), [61/2008](#), [10/2009](#), [82/2009](#) and [6/2011](#).

**\*NOTE:** These regulations were originally published in Part II of the July 20, 2001 issue of *The Saskatchewan Gazette*, and were subsequently deleted and replaced by the version published in Part II of the September 28, 2001 issue of the Gazette.

## **NOTE:**

**This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.**

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## CHAPTER C-7.3 REG 2

### *The Child Care Act*

#### PART I

#### Preliminary Matters

##### Title

- 1 These regulations may be cited as *The Child Care Regulations, 2001*.

##### Interpretation

- 2 In these regulations

- (a) “**Act**” means *The Child Care Act*;
- (b) “**adult-to-child ratio**” means the number of child care workers and volunteers who are present in relation to the number of children who are present, expressed as a ratio;
- (c) “**alternate**” means an individual who provides child care services in the absence of the licensee of a home;
- (d) “**assistant**” means an individual employed to assist the licensee of a group family child care home in the provision of child care services;
- (e) “**category I or category II communicable disease**” means a category I or category II communicable disease as defined in *The Public Health Act, 1994*;
- (f) “**centre**” means a child care centre;
- (g) “**centre director**” means an individual who is appointed by the licensee of a centre to be responsible for the day-to-day operation of the centre;
- (h) “**child care space**” means, with respect to a centre or a home, a unit of capacity representing one child to whom child care services may be provided in the centre or the home at one time;
- (i) “**child care worker**” means an individual who is employed to provide child care services in a centre or supervise persons providing child care services in a centre;
- (j) “**child with diverse needs**” means a child who is assessed by an individual with the appropriate qualifications as having one or more cognitive, physical, social, emotional, behavioural or language needs that require significant additional support;
- (k) “**child with exceptionally high diverse needs**” means a child who is assessed by an individual with the appropriate qualifications as having a combination of cognitive, physical, social, emotional, behavioural or language needs that require an exceptional amount of additional support;
- (l) “**designated public health officer**”, in relation to a facility or a proposed facility, means the designated public health officer, as defined in *The Public Health Act, 1994*, in whose jurisdictional area the facility or proposed facility, is situated;
- (l.1) “**developmental licence**” means a licence that authorizes the developmental licensee to develop, renovate or construct new child care spaces in a centre in accordance with the terms of the licence;

- (m) **“Director”** means the individual appointed by the minister to administer these regulations, other than Part VIII, and includes an assistant Director;
- (n) **“early childhood educator I”** means a person who has successfully completed:
- (i) a 120-hour introductory course in early childhood education from a university, technical institute, regional college or similar post-secondary educational facility; or
  - (ii) education or training that, in the opinion of the Director, is equivalent to the course described in subclause (i);
- (o) **“early childhood educator II”** means a person who:
- (i) has obtained a one-year certificate in early childhood education from a university, technical institute, regional college or similar post-secondary educational facility; or
  - (ii) has successfully completed education or training that, in the opinion of the Director, is equivalent to the certificate mentioned in subclause (i);
- (p) **“early childhood educator III”** means a person who:
- (i) has obtained a two-year certificate in early childhood education from a university, technical institute, regional college or similar post-secondary educational facility; or
  - (ii) has successfully completed education or training that, in the opinion of the Director, is equivalent to the certificate mentioned in subclause (i);
- (q) **“employee”** includes an individual who is employed in a centre to provide services other than child care services;
- (r) **“extended hours centre”** means an extended hours centre established pursuant to section 4;
- (s) **“flexible child care space”** means a licensed child care space that:
- (i) in the case of a centre, is allocated to the provision of child care services to children in any of the following categories:
    - (A) toddlers;
    - (B) preschool children;
    - (C) school-age children; and
  - (ii) in the case of a home, is allocated to the provision of child care services to children in any of the following categories:
    - (A) infants;
    - (B) toddlers;
    - (C) preschool children;
    - (D) school-age children;

- (t) **“former regulations”** means *The Child Care Regulations*;
- (u) **“full-time centre”** means a full-time centre established pursuant to section 4;
- (v) **“group”** means a number of children in attendance at a centre:
- (i) who are assigned to the care of a child care worker or a team of child care workers; and
  - (ii) in the case of children being cared for indoors at the centre, who occupy an individual room or a well-defined space within a larger room;
- (w) **“health services number”** means a unique number assigned to an individual who is registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*;
- (x) **“home”** means a family child care home, a group family child care home or a teen student support family child care home;
- (y) **“infant”** means a child who is six weeks of age or more but less than 18 months of age, and includes a child who is less than six weeks of age if, in the opinion of the Director, the child or the parent of the child has special needs;
- (z) **“infant child care space”** means a licensed child care space that is allocated to the provision of child care services to infants;
- (z.1) **“kindergarten child”** means a child who is 30 months of age or more and who attends kindergarten;
- (aa) **“licensed child care space”**:
- (i) with respect to a centre, means a child care space that is authorized by a licence issued with respect to the centre; and
  - (ii) with respect to a home, means a child care space that is authorized by a licence issued with respect to the home that is allocated to the provision of child care services to children other than resident children;
- (aa.1) **“licensee of a centre”**, or any similar expression, does not include a developmental licensee;
- (bb) **“non-profit centre”** means a centre operated by a licensee that is:
- (i) a corporation that is incorporated, registered or continued pursuant to *The Non-profit Corporations Act, 1995*;
  - (ii) a co-operative that is incorporated, registered or continued pursuant to *The Co-operatives Act, 1996*; or
  - (iii) a municipality;
- (cc) **“parent”** means the person who has lawful care or custody of a child;
- (dd) **“preschool child”**:
- (i) for the purposes of section 96 and the Appendix, means a child who is 30 months of age or more and who does not attend school or kindergarten; and
  - (ii) in any other case, means a child who is 30 months of age or more and who does not attend school, but includes a child who attends kindergarten;

- (ee) **“preschool child care space”** means a licensed child care space that is allocated to the provision of child care services to preschool children;
- (ff) **“private centre”** means a centre operated by a licensee that is:
- (i) a corporation that is incorporated, registered or continued pursuant to *The Business Corporations Act*;
  - (ii) a partnership; or
  - (iii) an individual;
- (gg) **“program consultant”** means a person appointed by the minister pursuant to subsection 18(1) of the Act, and includes the Director;
- (hh) **“program manager”** means the individual appointed by the minister to administer Part VIII of these regulations, and includes an assistant program manager;
- (ii) **“resident child”**:
- (i) with respect to a home that is the principal residence of the family child care provider or group family child care provider, means a child who resides in the home; and
  - (ii) with respect to a home that is not the principal residence of the family child care provider or group family child care provider, means a child of the family child care provider or group family child care provider, as the case may be, who is receiving care and supervision in the home;
- (jj) **“resident child care space”** means a child care space in a home that is allocated to a resident child and is not a licensed child care space;
- (kk) **“Saskatchewan Health Services card”** means a valid Saskatchewan Health Services card issued for the purposes of *The Saskatchewan Hospitalization Act* or *The Saskatchewan Medical Care Insurance Act*;
- (ll) **“school”** means a school as defined in *The Education Act, 1995* or an independent school as defined in that Act;
- (mm) **“school-age child”** means a child who attends school and is enrolled in grade 1 or a higher grade, and includes a child who has completed kindergarten but has not yet commenced grade 1;
- (nn) **“school-age child care space”** means a licensed child care space that is allocated to the provision of child care services to school-age children;
- (oo) **“staff-to-child ratio”** means the number of child care workers who are present in relation to the number of children who are present, expressed as a ratio;
- (pp) **“subsidized child care space”** means a licensed child care space with respect to which a subsidy may be provided pursuant to Part VIII;
- (qq) **“supervisor”** means an individual who is appointed by a licensee to act in the absence of a centre director;
- (rr) **“teen student support centre”** means a teen student support centre established pursuant to section 4;

(ss) **“teen student support child care space”** means a licensed child care space of a teen student support family child care home that is allocated to the provision of child care services to infants or toddlers of parents described in subsection 4(5);

(tt) **“teen student support family child care home”** means a teen student support family child care home established pursuant to section 4;

(uu) **“toddler”** means a child who is 18 months of age or more but less than 30 months of age;

(vv) **“toddler child care space”** means a licensed child care space that is allocated to the provision of child care services to toddlers;

(ww) **“volunteer”** means an individual who assists in the provision of child care services in a facility without remuneration.

28 Sep 2001 cC-7.3 Reg 2 s2; 8 Sep 2006 SR 82/2006 s3; 2 Oct 2009 SR 82/2009 s3.

#### Certain services excluded

**3** For the purposes of clause 3(c) of the Act, the Act does not apply to services provided:

- (a) pursuant to *The Education Act, 1995*, *The Child and Family Services Act* or *The Residential Services Act*;
- (b) to children:
  - (i) where no one child receives the services for more than three hours per day;
  - (ii) where the service provided is of a therapeutic or medical nature delivered by a social or medical related organization; or
  - (iii) where the child’s parent is attending an educational or skills program on the same premises and is immediately accessible to attend to the needs of the child at all times;
- (c) to preschool or school-age children in the form of a children’s program if the person conducting the program satisfies the minister that the program will only be conducted on a seasonal basis or during holiday periods;
- (d) on a casual and irregular basis in the child’s residence or the residence of the person providing the services;
- (e) exclusively to school-age children on school premises;
- (f) in the form of a prekindergarten, kindergarten or Montessori program by any of the following, as defined in *The Education Act, 1995*:
  - (i) a board of education;
  - (ii) the conseil scolaire;
  - (iii) a registered independent school;

- (g) on a reserve as defined in the *Indian Act* (Canada); or
- (h) pursuant to the Government of Canada's Aboriginal Head Start in Urban and Northern Communities program.

4 Mar 2011 SR 6/2011 s3.

**Categories of facilities established**

4(1) The following categories of facilities are established:

- (a) extended hours centre;
- (b) full-time centre;
- (c) teen student support centre;
- (d) teen student support family child care home.

(2) An extended hours centre is a centre in which child care services are provided for 80 hours or more per week.

(3) A full-time centre is a centre in which care is provided for five or more continuous hours per day and three or more days per week.

(4) A teen student support centre is a centre located in or near a high school in which child care services are provided for more than five continuous hours per day and three or more days per week primarily to infants and toddlers of parents who:

- (a) are less than 22 years of age; and
- (b) are attending a high school or a high school equivalency program.

(5) A teen student support family child care home is a family child care home that is formally associated with a high school and in which child care services are provided to children of parents who attend the high school.

28 Sep 2001 cC-7.3 Reg 2 s4.

**Application of regulations**

5(1) Parts I, II, III, VII, VIII and IX of these regulations apply to all facilities.

(2) In addition to the Parts mentioned in subsection (1), Part IV applies to centres.

(3) In addition to the Parts mentioned in subsection (1), Part V applies to homes that are licensed or required to be licensed.

(4) In addition to the Parts mentioned in subsection (1), Part VI applies to teen student support facilities, and:

- (a) Part IV applies to teen student support centres; and
- (b) Part V applies to teen student support family child care homes.

(5) Section 6 applies to all homes, whether or not they are licensed or required to be licensed.

28 Sep 2001 cC-7.3 Reg 2 s5.

**Restrictions on numbers of children - licensed and unlicensed homes**

**6(1)** In this section, “**attending children**” means children to whom child care services are being provided in a home at any one time, including resident children.

(2) Subject to subsection (3), for the purposes of subsection 3.3(5) of the Act, a person who provides child care services in an unlicensed family child care home or a licensed family child care home must ensure that either:

(a) not more than five of the attending children are infants, toddlers or preschool children and, of those five, only two are infants or toddlers; or

(b) not more than three of the attending children are infants or toddlers and, where three of the attending children are infants or toddlers, there are no attending children who are preschool children.

(3) For the purposes of subsection 3.3(5) of the Act:

(a) no person shall provide child care services in a licensed teen student support family child care home to more than six children at any one time; and

(b) a person who provides child care services in a licensed teen student support family child care home must ensure that either:

(i) not more than four of the attending children are infants, toddlers or preschool children; or

(ii) not more than three of the attending children are infants or toddlers and, where three of the attending children are infants or toddlers, there are no attending children who are preschool children.

(4) For the purposes of subsection 3.3(5) of the Act, a person who provides child care services in a group family child care home must ensure that either:

(a) not more than 10 of the attending children are infants, toddlers or preschool children and, of those 10, only five are infants or toddlers, of whom not more than three are infants; or

(b) not more than six of the attending children are infants or toddlers and, where six of the attending children are infants or toddlers, there are no attending children who are preschool children.

Note: In addition to the restrictions set out in section 6, subsections 3.3(1), (2) and (3) of *The Child Care Act* state:

**3.3(1)** No person shall provide child care services to more than eight children at any one time without a licence for a child care centre or a group family child care home.

(2) No person shall provide child care services to more than eight children at any one time in a group family child care home unless the person is assisted in the provision of child care services by an individual who is at least 18 years of age.

(3) No person shall provide child care services to more than 12 children at any one time in a group family child care home.

Part II  
**Licensing**

**Duration of licences**

7 Unless it is suspended or cancelled pursuant to section 15 of the Act, a licence is valid:

- (a) for the period specified in the licence; or
- (b) if no period is specified in the licence, for a period of one year from the day on which the licence was issued.

28 Sep 2001 cC-7.3 Reg 2 s7.

**Application for licence, renewal - centre**

8(1) An applicant for a licence to operate a centre must submit an application to the department on a form supplied by the department, together with:

- (a) a report from the designated public health officer respecting the sanitation, lighting, ventilation and general health and safety standards of the premises in which the centre will be operated;
  - (b) a report from the Fire Commissioner's local assistant respecting the fire safety standards of the premises in which the centre will be operated;
  - (c) a report from a person acceptable to the Director respecting the heating system in the premises in which the centre will be operated;
  - (d) where the applicant is a corporation or a co-operative, its certificate of incorporation or registration;
  - (e) where the applicant is a corporation that is incorporated, registered or continued pursuant to *The Business Corporations Act*, a list of the names and addresses of the shareholders of the corporation;
  - (f) where the applicant is a partnership, a list of the names and addresses of the partners;
  - (g) where the applicant is an individual, the applicant's health services number, if requested by the Director; and
  - (h) any other information that the Director may request.
- (2) An applicant for the renewal of a licence to operate a centre must submit:
- (a) the reports described in clauses (1)(a) to (c); and
  - (b) any other information that the Director may request.

28 Sep 2001 cC-7.3 Reg 2 s8.

**Application for developmental licence - centre**

8.1(1) An applicant for a developmental licence must be:

- (a) a corporation that is incorporated, registered or continued pursuant to *The Non-profit Corporations Act, 1995*;
- (b) a co-operative that is incorporated, registered or continued pursuant to *The Co-operatives Act, 1996*; or
- (c) a municipality.

(2) An applicant for a developmental licence must submit an application to the department on a form supplied by the department, together with:

- (a) if the applicant is a corporation or a co-operative, its certificate of incorporation or registration; and
- (b) any other information that the Director may request.

2 Oct 2009 SR 82/2009 s4.

**Application for licence, renewal - home**

9(1) An applicant for a licence to operate a home must submit an application to the department on a form supplied by the department, together with:

- (a) the results of a recent tuberculin test performed on the applicant;
- (b) a report from the Fire Commissioner's local assistant respecting the fire safety standards of the premises in which the home will be operated;
- (c) a report from a person acceptable to the Director respecting the heating system in the premises in which the home will be operated;
- (d) a family assessment questionnaire, completed by the applicant on a form supplied by the department, with respect to the fitness of the applicant to care for, or be in regular contact with, children and with respect to each person who resides in the premises in which the home will be operated;
- (e) the results of a criminal records search with respect to the applicant and each adult who resides in the premises in which the home will be operated;
- (f) the consent of each person mentioned in clause (e) to the disclosure of any relevant information contained in the results of a criminal records search with respect to that person to parents of children who are receiving child care services in the home or to parents who are considering enrolling a child in the home;
- (g) the names and addresses of at least four persons who may be consulted with respect to the character of the applicant;
- (h) the applicant's health services number, if requested by the Director; and
- (i) any other information that the Director may request.

(2) An applicant for the renewal of a licence to operate a home must submit any information that the Director may request.

28 Sep 2001 cC-7.3 Reg 2 s9.

**Child care spaces - centres**

**10(1)** A licence for a centre must specify:

- (a) the maximum number of child care spaces that the licensee is authorized to provide in the centre as licensed child care spaces; and
  - (b) the number of licensed child care spaces that are approved as subsidized child care spaces.
- (2) The maximum number of licensed child care spaces that may be authorized for one centre is 90.
- (3) A licence for a centre must specify the maximum numbers of licensed child care spaces that are allocated as:
- (a) infant child care spaces;
  - (b) toddler child care spaces;
  - (c) preschool child care spaces;
  - (d) school-age child care spaces; and
  - (e) flexible child care spaces.
- (4) Where a centre provides child care services to infants, the maximum number of licensed child care spaces that may be allocated as infant child care spaces is 12.

28 Sep 2001 cC-7.3 Reg 2 s10.

**Age groupings - centres**

**11** A licence for a centre must specify whether the centre is authorized to provide child care services only to children in groups of single age categories or whether the centre is authorized to provide child care services to children in groups of mixed age categories.

28 Sep 2001 C-7.3 Reg 2 s11.

**Child care spaces - homes**

- 12(1)** A licence for a home must specify the maximum number of child care spaces that the licensee is authorized to provide in the home as licensed child care spaces.
- (2) A licence for a teen student support family child care home must specify the maximum number of licensed child care spaces that may be allocated as teen student support child care spaces.

28 Sep 2001 cC-7.3 Reg 2 s12.

PART III  
**Standards for Facilities**

DIVISION 1  
**Policies and Procedures**

**Philosophy and program**

**13** A licensee of a facility must:

- (a) develop a written statement of philosophy for the facility; and
- (b) plan and implement a daily program of activities that:
  - (i) is consistent with the statement of philosophy; and
  - (ii) is developmentally appropriate for the ages of the children attending the facility and for each child.

28 Sep 2001 cC-7.3 Reg 2 s13.

**Child management**

**14(1)** The following practices are not permitted methods of child management with respect to a child receiving child care services in a facility:

- (a) corporal punishment;
  - (b) physical, emotional or verbal abuse;
  - (c) denial of necessities;
  - (d) isolation;
  - (e) inappropriate physical or mechanical restraint.
- (2)** A licensee of a facility must:
- (a) develop a written policy with respect to child management that is consistent with subsection (1); and
  - (b) ensure that all employees and volunteers who provide child care services comply with the policy required by clause (a).

28 Sep 2001 cC-7.3 Reg 2 s14.

**Operational policies, procedures**

**15** A licensee of a facility must develop written policies and procedures with respect to the operation of the facility.

28 Sep 2001 cC-7.3 Reg 2 s15.

**Agreement for services**

**16** A licensee of a facility must enter into a written agreement with the parent of a child attending the facility respecting the provision of child care services to the child.

28 Sep 2001 cC-7.3 Reg 2 s16.

**Fee schedule**

**17** A licensee of a facility must:

- (a) establish a written schedule of fees;
- (b) give advance notice in writing to parents of any changes in the schedule of fees; and
- (c) ensure that all parents are charged the same fees with respect to the same services.

28 Sep 2001 cC-7.3 Reg 2 s17.

**DIVISION 2****Physical Environment, Facilities and Equipment****Furnishings**

**18** A licensee of a facility must provide, for each child attending the facility, developmentally appropriate equipment and furnishings for resting, eating, diapering, toileting and the storage of personal effects.

28 Sep 2001 cC-7.3 Reg 2 s18.

**Equipment and materials**

**19(1)** A licensee of a facility must provide equipment and materials for indoor and outdoor activities in sufficient quantities for:

- (a) the number of licensed child care spaces, in the case of a centre; and
  - (b) the total of the licensed child care spaces and resident child care spaces, in the case of a home.
- (2) The equipment and materials required by subsection (1) must be:
- (a) appropriate for the developmental capabilities of the children attending the facility; and
  - (b) adequate in quality, non-toxic, washable, sturdy and safe.

28 Sep 2001 cC-7.3 Reg 2 s19.

**Hygiene**

**20** A licensee of a facility must ensure that:

- (a) the facility and its equipment and furnishings are maintained in a sanitary condition; and
- (b) hygienic procedures are followed by all persons in the facility.

28 Sep 2001 cC-7.3 Reg 2 s20.

**Washroom facilities**

**21(1)** The licensee of a facility must provide adequate washroom facilities and diapering facilities for the children attending the facility.

(2) In the case of a centre, the licensee must ensure that the washroom facilities and diapering facilities are in convenient locations.

28 Sep 2001 cC-7.3 Reg 2 s21.

**Maintenance**

**22** No licensee of a facility shall carry out or cause to be carried out any maintenance of, or repair to, any area of the facility other than necessary cleaning while child care services are being provided in the area.

28 Sep 2001 cC-7.3 Reg 2 s22.

### DIVISION 3 Health and Safety

**Nutrition**

**23(1)** Subject to subsection (3), a licensee of a facility must provide meals and snacks for children attending the facility who are six months of age or older.

(2) A licensee of a facility must ensure that:

- (a) subject to subsection (3), the meals and snacks provided meet the nutritional needs of the children attending the facility; and
- (b) the manner in which children are fed is appropriate to their ages and levels of development.

(3) Subject to subsection (4), a licensee of a facility is not required to provide:

- (a) infant formula or baby food; or
- (b) meals and snacks for a child who requires a special diet or whose parent requests a special diet.

(4) A licensee of a teen student support centre or a teen student support family child care home must provide any foods, other than infant formula, required by an infant under the age of six months.

28 Sep 2001 cC-7.3 Reg 2 s23.

**Food services**

**24** A licensee of a facility must ensure that adequate and safe procedures are followed in the facility for:

- (a) handling, preparation, serving and storing food; and
- (b) cleansing utensils used for eating and drinking.

28 Sep 2001 cC-7.3 Reg 2 s24.

**Child with communicable disease**

**25** If a licensee of a facility has reason to suspect that a child attending the facility has a category I or category II communicable disease, the licensee must:

- (a) immediately notify the designated public health officer; and
- (b) ensure that any recommendations or instructions of the designated public health officer with respect to that communicable disease that may affect the health or well-being of a child attending the facility are carried out.

28 Sep 2001 cC-7.3 Reg 2 s25.

**Medications**

**26(1)** A licensee of a facility who agrees to administer a medication to a child must:

- (a) subject to subsection (2), obtain written authorization, on a form supplied by the department, from the parent of the child before the medication is administered to the child;
  - (b) ensure that a written record of each dose of medication administered to the child is made on a form supplied by the department and maintained in accordance with section 35; and
  - (c) ensure that all medications are stored in a locked enclosure.
- (2) In exceptional circumstances, a licensee of a facility may administer a non-prescription medication to a child on the oral authorization of the parent of the child, but the licensee must obtain a written confirmation of the authorization as soon as possible in the circumstances.

28 Sep 2001 cC-7.3 Reg 2 s26.

**Hazardous items**

**27** A licensee of a facility must:

- (a) store unsafe items in a place that is inaccessible to children;
- (b) store poisonous substances in a locked enclosure;
- (c) cover radiators and hot pipes with non-combustible materials; and
- (d) where infants, toddlers or preschool children attend the facility, cap electrical outlets accessible to children when the outlets are not in use.

28 Sep 2001 cC-7.3 Reg 2 s27.

**Telephone, emergency numbers**

**28** Except where a facility is located where there is no telephone service, a licensee of a facility must have the facility equipped with a telephone in working order, with emergency telephone numbers posted in a convenient location.

28 Sep 2001 cC-7.3 Reg 2 s28.

**Emergency evacuation**

**29** A licensee of a facility must develop an emergency evacuation procedure and carry out an emergency evacuation practice monthly.

28 Sep 2001 cC-7.3 Reg 2 s29.

**First aid supplies**

**30** A licensee of a facility must keep appropriate and sufficient first aid supplies at the facility in a place that is inaccessible to children.

28 Sep 2001 cC-7.3 Reg 2 s30.

**Portable emergency information**

**31** A licensee of a facility must maintain a portable record of emergency information for each child attending the facility.

28 Sep 2001 cC-7.3 Reg 2 s31.

**Taking certain supplies, information on excursions**

**32** Where children attending a facility are taken on an excursion from the facility, the licensee must take the portable record of emergency information for each child on the excursion and appropriate and sufficient first aid supplies.

28 Sep 2001 cC-7.3 Reg 2 s32.

**Injuries, unusual occurrences**

**33** Where a child attending a facility sustains an injury requiring medical treatment or is involved in an unusual or unexpected occurrence, the licensee must:

- (a) immediately notify the parent of the child or, where the parent is not immediately available, any person designated by the parent as a person to contact in case of emergency;
- (b) within 24 hours after the occurrence, notify a program consultant; and
- (c) within seven days after the occurrence, complete a report on a form supplied by the department, setting out full particulars of the injury or occurrence and submit the report to the department.

28 Sep 2001 cC-7.3 Reg 2 s33.

**Volunteers**

**34(1)** A licensee of a centre must ensure that a child care worker is present at all times when a volunteer is in attendance with the children.

(2) A licensee of a home must ensure that the licensee, the alternate or, in the case of a group family child care home, the assistant is present at all times when a volunteer is in attendance with the children.

28 Sep 2001 cC-7.3 Reg 2 s34.

DIVISION 4  
**Administration**

**Children's records**

**35(1)** A licensee of a facility must keep a record with respect to each child attending the facility and retain the record for a period of six years after the child ceases to attend the facility.

(2) A record required by subsection (1) must include:

- (a) the child's name and date of birth;
- (b) the names, addresses and telephone numbers of:
  - (i) the child's parents;
  - (ii) any person designated by a parent as a person to be contacted in an emergency if the parent is unavailable; and
  - (iii) the child's medical practitioner;
- (c) any allergy, illness or other medical condition disclosed by the child's parent or medical practitioner;
- (d) the child's immunization status;
- (e) any medication authorization provided by the child's parent and any record of medication administered required by section 26;
- (f) any authorization provided by the child's parent for:
  - (i) an excursion not involving transportation of the child; or
  - (ii) an excursion involving transportation of the child;
- (g) any report required by section 33 of an injury or an unusual or unexpected occurrence involving the child;
- (h) the agreement for services entered into by the licensee and the child's parent.

28 Sep 2001 cC-7.3 Reg 2 s35.

**Attendance records**

**36** A licensee of a facility must:

- (a) keep complete and accurate monthly child attendance records on a form supplied by the department;
- (b) obtain, on the records mentioned in clause (a), the signature of the parent of a child attending the facility to verify, on a monthly basis:
  - (i) the hours and days of the child's attendance; and
  - (ii) the fees charged with respect to the child's attendance; and
- (c) forward the records mentioned in clause (a) to the department each month.

28 Sep 2001 cC-7.3 Reg 2 s36.

**Insurance**

**37** A licensee of a facility must obtain, and maintain in force, an insurance policy with respect to the facility that includes:

- (a) comprehensive general liability coverage and personal injury coverage; and
- (b) liability coverage with respect to the transportation of children in a motor vehicle.

28 Sep 2001 cC-7.3 Reg 2 s37.

**Materials to be made available**

**38** A licensee of a facility must make available to parents of children attending the facility a copy of:

- (a) the Act;
- (b) these regulations;
- (c) the statement of philosophy and the daily program of activities required by section 13;
- (d) the policy with respect to child management required by section 14;
- (e) the policies and procedures with respect to the operation of the facility required by section 15;
- (f) the schedule of fees required by section 17; and
- (g) any other materials that the Director may require.

28 Sep 2001 cC-7.3 Reg 2 s38.

**Confidentiality**

**39(1)** Every licensee, alternate, assistant, employee of a licensee and every other person who is employed in or assists with the operation of a facility:

- (a) shall preserve confidentiality with respect to:
  - (i) personal information, the release of which would likely have an adverse effect on or cause hardship to a child attending a facility; and
  - (ii) any file, document, paper or other record dealing with the personal history or record of a child or a child's parent that has come into existence through anything done pursuant to the Act or these regulations, with the exception of financial records pertaining to the payment of fees by parents; and
- (b) shall not disclose or communicate any information mentioned in clause (a) with respect to a child without the permission of the child's parent to any person except:
  - (i) as required for the health or safety of that child or any other child; or
  - (ii) as required by law.

- (2) This section does not apply to:
- (a) the minister;
  - (b) an employee of the department; or
  - (c) the parent of a child to whom the information pertains.

28 Sep 2001 cC-7.3 Reg 2 s39.

PART IV  
**Standards for Centres**

DIVISION 1  
**Staff**

**Centre director and supervisor**

**40(1)** A licensee of a centre must appoint:

- (a) a centre director to be responsible for the day-to-day operations of the centre; and
  - (b) a supervisor to act in place of the centre director in the centre director's absence.
- (2) A licensee of a centre must ensure that an individual who is appointed as a centre director:
- (a) is at least 18 years of age;
  - (b) subject to clause (c), meets or exceeds the qualifications for a supervisor set out in subsection 36(3) of the former regulations or the qualifications of an early childhood educator II; and
  - (c) in the case of a centre director appointed on or after the coming into force of these regulations, meets or exceeds the qualifications of an early childhood educator III.
- (3) A licensee of a centre must ensure that an individual who is appointed as a supervisor:
- (a) is at least 18 years of age; and
  - (b) meets or exceeds the qualifications of an early childhood educator I.

28 Sep 2001 cC-7.3 Reg 2 s40.

**Child care workers**

41(1) A licensee of a centre must ensure that all child care workers employed in the centre are at least 16 years of age.

(2) Subject to subsections (3) to (6), a licensee of a centre must ensure that all persons employed in the centre as child care workers for 65 hours or more per month meet or exceed the qualifications for a child care worker set out in subsection 36(2) of the former regulations.

(3) On and after January 1, 2002, a licensee of a centre must ensure that all persons employed in the centre as child care workers for 65 hours or more per month meet or exceed the qualifications of an early childhood educator I.

(4) On and after January 1, 2005, a licensee of a centre must ensure that 30% of the persons employed in the centre as child care workers for 65 hours or more per month meet or exceed the qualifications of an early childhood educator II.

(5) On and after January 1, 2007, a licensee of a centre must ensure that, in addition to the persons mentioned in subsection (4), a further 20% of the persons employed in the centre as child care workers for 65 hours or more per month meet or exceed the qualifications of an early childhood educator III.

(6) In calculating the percentages mentioned in subsections (4) and (5), the centre director and any supervisors are to be included.

28 Sep 2001 cC-7.3 Reg 2 s41.

**Exemption**

42(1) Where a licensee is unable to hire a centre director or supervisor whose qualifications meet the requirements of section 40 or child care workers whose qualifications meet the requirements of section 41, the licensee may apply to the Director for an exemption from those requirements and an authorization to hire individuals with any qualifications that the Director may specify in the authorization.

(2) An application pursuant to subsection (1) must be accompanied by an education plan indicating how the licensee intends to meet the requirements of section 40 or 41 through further education of the individuals to be hired.

(3) The Director may grant an exemption and authorization pursuant to subsection (1) where the Director is satisfied that:

(a) the licensee is unable to hire a centre director or supervisor whose qualifications meet the requirements of section 40 or child care workers whose qualifications meet the requirements of section 41; and

(b) the education plan submitted by the licensee will, within a reasonable period of time, remedy the deficiencies in the qualifications of the persons hired.

28 Sep 2001 cC-7.3 Reg 2 s42.

**First aid and CPR training**

43(1) A licensee of a centre must ensure that at least one individual who has completed a first aid course is on the premises during the hours of operation of the centre.

(2) On and after January 1, 2003, a licensee of a centre must ensure that each individual employed in the centre for 65 hours or more per month as a centre director, supervisor or child care worker:

- (a) has completed:
  - (i) a first aid course that is satisfactory to the Director; and
  - (ii) a course in cardiopulmonary resuscitation that is appropriate to the ages of the children attending the centre; and
- (b) when required to do so by the Director, retakes a course described in clause (a) for the purpose of updating his or her qualifications.

28 Sep 2001 cC-7.3 Reg 2 s43.

**Criminal record searches**

44(1) Before an individual is hired as an employee in a centre, the licensee must obtain from the individual the results of a criminal record search with respect to that individual.

- (2) A licensee of a centre must:
- (a) establish written policies with respect to criminal record searches of employees and potential employees; and
  - (b) make those policies known to the employees and potential employees.

28 Sep 2001 cC-7.3 Reg 2 s44.

**Health of employees**

45(1) Before an individual is hired as an employee in a centre, the licensee must obtain from the individual the results of a recent tuberculin test performed on the individual.

(2) Where a licensee or the Director has reason to believe that the physical or mental health of an employee in a centre may not be appropriate for work with children or in proximity to children, the licensee must request the employee to submit to the licensee or the Director, as the case may be, a recent report that:

- (a) is completed by an individual who, in the opinion of the Director, is an appropriate person to prepare the report, having regard to the aspects of the physical or mental health of the employee that are of concern to the licensee or the Director;
- (b) assesses the physical or mental health of the employee in relation to the employee's appropriateness for work with children or in proximity to children.

(3) Where a report completed pursuant to subsection (2) indicates that the employee's physical or mental health is not appropriate for work with children or in proximity to children, the licensee must not permit the employee to be present at the centre until it is established the employee's physical or mental health is appropriate for work with children or in proximity to children.

(4) If a licensee of a centre has reason to suspect that an employee of the centre has a category I or category II communicable disease, the licensee must:

- (a) immediately notify the designated public health officer; and
- (b) ensure that any recommendations or instructions of the designated public health officer with respect to that communicable disease that may affect the health or well-being of a child attending the centre are carried out.

28 Sep 2001 cC-7.3 Reg 2 s45.

#### **Employee records**

**46** A licensee must maintain accurate and up-to-date records with respect to each employee that include the following:

- (a) in the case of a child care worker, a copy of the employee's certificates of qualification in early childhood education;
- (b) in the case of an employee mentioned in section 43, a copy of the employee's proof of training in first aid and cardiopulmonary resuscitation;
- (c) the results of the employee's criminal record search;
- (d) the results of the employee's tuberculin test;
- (e) a copy of all medical reports received with respect to the employee;
- (f) any emergency medical information with respect to the employee.

28 Sep 2001 cC-7.3 Reg 2 s46.

#### **Volunteers**

**47** Where the services of a volunteer are used by a centre to meet any of the requirements of these regulations, the licensee must ensure that the volunteer is 16 years of age or older.

28 Sep 2001 cC-7.3 Reg 2 s47.

## **DIVISION 2 Supervision**

#### **Duty to supervise**

**48** The licensee of a centre must ensure that children attending the centre are adequately supervised by a child care worker at all times.

28 Sep 2001 cC-7.3 Reg 2 s48.

#### **Groups**

**49** The licensee of a centre must ensure that children attending the facility are cared for in groups of children within a single age category unless the licence specifies that children attending the facility may be cared for in groups of mixed age categories.

28 Sep 2001 cC-7.3 Reg 2 s49.

**Maximum group size**

**50(1)** Subject to subsection (4), the licensee of a centre must ensure that the number of children cared for in a group while they are indoors in a centre does not exceed the maximum group size set out in subsection (2) or (3).

(2) Where the children in a group are all within a single age category, the maximum group size is:

- (a) six in the case of infants;
- (b) 10 in the case of toddlers;
- (c) 20 in the case of preschool children; and
- (d) 30 in the case of school-age children.

(3) Where the licence authorizes a centre to provide care to children in groups containing more than one age category during the majority of the centre's operating hours, the maximum group size is the maximum number of children that can be cared for by two child care workers, applying the staff-to-child ratio determined in accordance with subsection 51(5).

(4) The maximum group size does not apply:

- (a) before 9:00 a.m.;
- (b) during the last hour of operation in a day;
- (c) during meal times;
- (d) during nap times for children who are resting; or
- (e) during special activities such as parties or concerts.

28 Sep 2001 cC-7.3 Reg 2 s50.

**Supervision at centre**

**51(1)** Subject to subsection (2), the licensee of a centre must ensure that there are at least two persons present at the centre at all times while children are in attendance, of whom one is a child care worker who meets the requirements of subsection 41(2) or (3) and the other is an individual who is at least 16 years of age.

(2) Where there are fewer than nine children in attendance at a centre, and not more than three of those children are infants or toddlers, there may be only one child care worker present at the centre if:

- (a) the staff-to-child ratio does not exceed the ratio set out in subsection (5); and
- (b) the licensee has made arrangements for the provision of an additional individual in the event of an emergency.

(3) The licensee of a centre must ensure that, while children are in attendance, the number of child care workers present at the centre is not less than the number required by the applicable staff-to-child ratio set out in subsection (4) or (5).

(4) The staff-to-child ratio that applies with respect to a group of children in a single age category while they are indoors in a centre or in a play area adjacent to a centre is not less than:

- (a) 1:3 in the case of infants;
- (b) 1:5 in the case of toddlers;
- (c) 1:10 in the case of preschool children; and
- (d) 1:15 in the case of school-age children.

(5) The staff-to-child ratio that applies with respect to a group of children containing more than one age category is 1:15, where the number of children is determined in accordance with the following:

- (a) one infant is deemed to be equivalent to five children;
- (b) one toddler is deemed to be equivalent to three children;
- (c) one preschool child is deemed to be equivalent to 1.5 children; and
- (d) one school-age child counts as one child.

28 Sep 2001 cC-7.3 Reg 2 s51.

#### **Supervision on neighbourhood walks**

**52(1)** The licensee of a centre must ensure that there is at least one child care worker present to care for a group of children while they are on a walk in the neighbourhood of the centre.

(2) The licensee of a centre must ensure that, while children are on a walk in the neighbourhood of the centre, the number of child care workers who are present to care for the children meets the staff-to-child ratio set out in subsection (3) or (4).

(3) The staff-to-child ratio that applies with respect to a group of children in a single age category while they are on a walk in the neighbourhood of the centre is:

- (a) 1:2 in the case of infants;
- (b) 1:3 in the case of toddlers;
- (c) 1:6 in the case of preschool children; and
- (d) 1:10 in the case of school-age children.

(4) Subject to subsection (5), the staff-to-child ratio that applies with respect to a group of children containing more than one age category while they are on a walk in the neighbourhood is 1:10, where the number of children is determined in accordance with the following:

- (a) one infant is deemed to be equivalent to five children;
- (b) one toddler is deemed to be equivalent to three children;
- (c) one preschool child is deemed to be equivalent to 1.5 children; and
- (d) one school-age child counts as one child.

(5) Where three toddlers are being taken on a walk in the neighbourhood by one child care worker, no other children may participate in the walk.

28 Sep 2001 cC-7.3 Reg 2 s52.

**Supervision on excursions**

53(1) In this section, “**excursion**” does not include a walk in the neighbourhood of a centre.

(2) The licensee of a centre must ensure that, where a group of children are on an excursion away from the centre, at least one child care worker and one adult or two child care workers are present to care for the group of children on the excursion.

(3) The licensee of a centre must ensure that while children are on an excursion away from the centre:

(a) the number of child care workers who are present to care for the children meets the staff-to-child ratio set out in subsection (4) or (6); or

(b) the number of child care workers and adults who are present to care for the children meets the adult-to-child ratio set out in subsection (5) or (7).

(4) The staff-to-child ratio that applies with respect to a group of children in a single age category while they are on an excursion away from the centre is:

(a) 1:3 in the case of infants;

(b) 1:5 in the case of toddlers;

(c) 1:10 in the case of preschool children; and

(d) 1:15 in the case of school-age children.

(5) The adult-to-child ratio that applies with respect to a group of children in a single age category while they are on an excursion away from the centre is:

(a) 2:3 in the case of infants;

(b) 2:5 in the case of toddlers;

(c) 2:10 in the case of preschool children; and

(d) 2:15 in the case of school-age children.

(6) The staff-to-child ratio that applies with respect to a group of children containing more than one age category while they are on an excursion away from the centre is 1:15, where the number of children is determined in accordance with the following:

(a) one infant is deemed to be equivalent to five children;

(b) one toddler is deemed to be equivalent to three children;

(c) one preschool child is deemed to be equivalent to 1.5 children; and

(d) one school-age child counts as one child.

(7) The adult-to-child ratio that applies with respect to a group of children containing more than one age category while they are on an excursion away from the centre is 2:15, where the number of children is determined in accordance with clauses (6)(a) to (d).

- (8) With respect to an excursion away from a centre, a licensee must:
- (a) consider the location and activities involved in the excursion and assess the possible risks to the children associated with that location and those activities; and
  - (b) where the risk appears to be greater than usual, supply additional staff or volunteers to accompany the children on that excursion.

28 Sep 2001 cC-7.3 Reg 2 s53.

### DIVISION 3 Physical Environment, Facilities and Equipment

#### Smoking prohibited

- 54** No person shall smoke in a centre.

28 Sep 2001 cC-7.3 Reg 2 s54.

#### Usable floor area

**55(1)** In this section, “**usable floor area**” does not include space used for offices, hallways, entryways, washrooms, kitchens, closets, locker areas, furnace and boiler rooms and large or fixed equipment.

- (2) Subject to subsection (3), a licensee of a centre must provide:
- (a) a minimum of 3.7 square metres of usable floor area for each licensed child care space; and
  - (b) a sleeping area of at least 2.3 square metres that is separate and apart from the usable floor area mentioned in clause (a) for each infant child care space.
- (3) In the case of a centre for which the licensee holds a valid licence on the coming into force of these regulations, the licensee must provide:
- (a) a minimum of 3.7 square metres of usable floor area for each infant child care space;
  - (b) a minimum of 3.25 square metres of usable floor area for each toddler, preschool and school-age child care space; and
  - (c) a sleeping area of at least 1.4 square metres that is separate and apart from the usable floor areas mentioned in clauses (a) and (b) for each infant child care space.
- (4) Where a centre to which subsection (3) applies relocates to new premises or increases its number of child care spaces, the requirements of subsection (2) apply to the centre.
- (5) The licensee of a centre must ensure that the usable floor areas and sleeping areas required by this section are used exclusively by the centre during its hours of operation.

28 Sep 2001 cC-7.3 Reg 2 s55.

**Natural lighting**

**56(1)** The licensee of a centre must provide:

- (a) natural lighting in at least 50% of the areas used for children's play space; and
  - (b) window area equivalent to 10% of the usable floor area in areas mentioned in clause (a).
- (2) The licensee of a centre must ensure that the areas provided with natural lighting in accordance with clause (1)(a) are made available to each child attending the centre for at least 50% of the day.

28 Sep 2001 cC-7.3 Reg 2 s56.

**Kitchen and dining facilities**

**57** The licensee of a centre must ensure that the centre has access to sufficient kitchen and dining facilities to provide food for children attending the centre.

28 Sep 2001 cC-7.3 Reg 2 s57.

**Outdoor play area**

**58(1)** The licensee of a centre must provide a safe outdoor play area of seven square metres per licensed child care space.

- (2) Unless otherwise provided in the licence, at least half of the outdoor play area required by subsection (1) must be adjacent to the centre and the remainder must be within walking distance of the centre, determined in relation to the youngest age category for which the centre is licensed.

28 Sep 2001 cC-7.3 Reg 2 s58.

## PART V Standards for Homes

**Hours of care**

**59(1)** In this section, "**hour of care**" means one hour of child care services provided to one child.

(2) No licensee of a family child care home shall provide more than 100 hours of care in one 24-hour period.

(3) No licensee of a group family child care home shall provide more than 150 hours of care in one 24-hour period.

(4) No licensee of a teen student support family child care home shall provide more than 75 hours of care in one 24-hour period.

(5) For the purposes of this section, a resident child is deemed to have been provided with 10 hours of care in one 24-hour period.

28 Sep 2001 cC-7.3 Reg 2 s59.

**Qualifications - licensees**

**60(1)** A licensee of a home must have successfully completed a first aid course that is satisfactory to the Director.

(2) If the first aid course completed by a licensee did not include training in cardiopulmonary resuscitation, the licensee must, within six months after being granted a licence to operate a home, successfully complete training in cardiopulmonary resuscitation that is appropriate to the ages of the children attending the home.

(3) When required to do so by the Director, a licensee of a home must retake a course described in subsection (1) or (2) for the purpose of updating his or her qualifications.

(4) In the case of a person who becomes a licensee after these regulations come into force, within one year after being granted a licence to operate a home, a licensee must successfully complete:

- (a) a 40-hour introductory course in early childhood education; or
- (b) education or training that, in the opinion of the Director, is equivalent to the course described in clause (a).

(5) Within three years after being granted a licence to operate a group family child care home, a licensee must meet or exceed the qualifications of an early childhood educator I.

(6) A licensee of a home must participate in a minimum of six hours per year of continuing education that is acceptable to a program consultant.

28 Sep 2001 cC-7.3 Reg 2 s60.

**Alternates**

**61(1)** A licensee of a home must ensure that, in the absence of the licensee, child care services by an alternate who is at least 18 years of age are available.

(2) A licensee of a home must ensure that:

- (a) the routine and occasional use of alternates to provide child care services does not exceed 10% of the hours of operation of the home in any one month; and
- (b) the use of alternates to provide child care services for vacation periods does not exceed four weeks in a calendar year.

28 Sep 2001 cC-7.3 Reg 2 s61.

**Assistants**

**62(1)** Before an individual is hired as an assistant in a group family child care home, the licensee must obtain from the individual the results of a criminal record search with respect to the individual.

(2) A licensee of a group family child care home must ensure that each person employed as an assistant in the home:

- (a) is provided with adequate orientation to the home and its philosophy, program and policies;
- (b) successfully completes a first aid course within six months after commencing employment in the home;

- (c) if the first aid course mentioned in clause (b) does not include training in cardiopulmonary resuscitation, within six months after commencing employment successfully completes training in cardiopulmonary resuscitation that is appropriate to the ages of the children attending the home; and
  - (d) participates in a minimum of six hours per year of continuing education that is acceptable to a program consultant.
- (3) When required to do so by the Director, a licensee of a home must ensure that a person employed as an assistant in the home retakes a course described in clause (2)(b) or (c) for the purpose of updating his or her qualifications.

28 Sep 2001 cC-7.3 Reg 2 s62.

#### Assistant records

**63** A licensee of a group family child care home must maintain accurate and up-to-date records with respect to each assistant that include the following:

- (a) a copy of the assistant's proof of training in first aid and cardiopulmonary resuscitation;
- (b) the results of the assistant's criminal record search;
- (c) the results of the assistant's tuberculin test;
- (d) any emergency medical information with respect to the employee;
- (e) a copy of the assistant's proof of participation in continuing education.

28 Sep 2001 cC-7.3 Reg 2 s63.

#### Health of licensee, alternate, assistant

**64(1)** Before a licence will be granted to an applicant, the applicant must provide the Director with the results of a recent tuberculin test performed on the applicant.

(2) Before an individual is hired as an assistant, the licensee must obtain from the individual the results of a recent tuberculin test performed on the individual.

(3) Where the Director has reason to believe that the physical or mental health of a licensee or an applicant for a licence may not be appropriate for work with children, the licensee or applicant must, on the request of the licensee or the Director, submit to the Director a recent report that:

- (a) is completed by an individual who, in the opinion of the Director, is an appropriate person to prepare the report, having regard to the aspects of the physical or mental health of the licensee or applicant that are of concern to the Director;
- (b) assesses the physical or mental health of the licensee or applicant in relation to the appropriateness of the licensee or applicant for work with children.

(4) Where a licensee or the Director has reason to believe that the physical or mental health of an assistant or an alternate may not be appropriate for work with children, the assistant or alternate must, on the request of the licensee or the Director, submit to the licensee or the Director, as the case may be, a recent report that:

(a) is completed by an individual who, in the opinion of the Director, is an appropriate person to prepare the report, having regard to the aspects of the physical or mental health of the assistant or alternate that are of concern to the licensee or the Director;

(b) assesses the physical or mental health of the assistant or alternate in relation to the appropriateness of the assistant or alternate for work with children.

(5) Where a report completed pursuant to subsection (3) or (4) indicates that an individual's physical or mental health is not appropriate for work with children:

(a) in the case of a licensee, the minister may revoke or suspend the licence;

(b) in the case of an applicant for a licence, the minister may refuse to issue a licence; and

(c) in the case of an assistant or alternate, the licensee shall not permit the assistant or alternate to be present in the home until it is established that the physical or mental health of the assistant or alternate is appropriate for work with children.

(6) If a licensee of a home or a person residing in a home has a category I or category II communicable disease, or has reason to suspect that he or she has a category I or category II communicable disease, the licensee must:

(a) immediately notify the designated public health officer; and

(b) ensure that any recommendations or instructions of the designated public health officer with respect to that communicable disease that may affect the health or well-being of a child attending the home are carried out.

(7) If a licensee of a home has reason to suspect that an assistant or alternate has a category I or category II communicable disease, the licensee must:

(a) immediately notify the designated public health officer; and

(b) ensure that any recommendations or instructions of the designated public health officer with respect to that communicable disease that may affect the health or well-being of a child attending the home are carried out.

28 Sep 2001 cC-7.3 Reg 2 s64.

**Usable floor area**

**65(1)** In this section, “**usable floor area**” includes the floor areas of all rooms within the home to which the children attending the home regularly have access, but does not include:

(a) bathrooms;

(b) closets;

(c) hallways;

- (d) floor space occupied by furniture or shelving if the furniture or shelving are not used for children's activities; or
  - (e) areas used by children only for napping.
- (2) Subject to subsection (3), a licensee of a home must provide a minimum of 3.7 square metres of usable floor space for each licensed child care space and each resident child care space.
- (3) In the case of a home for which the licensee holds a valid licence on the coming into force of these regulations, the licensee must provide a minimum of 3.25 square metres of usable floor area for each licensed child care space and each resident child care space.

28 Sep 2001 cC-7.3 Reg 2 s65.

#### **Outdoor play area**

- 66** A licensee of a home must provide a safe outdoor play area that is sufficient for the number of licensed child care spaces and resident child care spaces and that is:
- (a) adjacent to the home; or
  - (b) where there is insufficient outdoor play area adjacent to the home, within walking distance of the home, determined in relation to the youngest child attending the home.

28 Sep 2001 cC-7.3 Reg 2 s66.

#### **Supervision**

- 67** A licensee of a home must ensure that the children attending the home are adequately supervised at all times.

28 Sep 2001 cC-7.3 Reg 2 s67.

#### **Conducting other business prohibited**

- 68** No person shall, during the hours of operation of a licensed home, conduct any business or other activity within or from the home that might:
- (a) interfere with the supervision of the children to whom child care services are being provided or the space used for the provision of child care services; or
  - (b) pose a threat to the health or safety of a child to whom child care services are being provided.

28 Sep 2001 cC-7.3 Reg 2 s68.

#### **Social environment**

- 69** A licensee of a home must ensure that the social environment in the home promotes the safety and well-being of the children to whom child care services are provided.

28 Sep 2001 cC-7.3 Reg 2 s69.

PART VI  
**Teen Student Support Facilities**

**Governance of teen student support centres**

**70** Teen student support centres are exempt from the provisions of section 7 of the Act.

28 Sep 2001 cC-7.3 Reg 2 s70.

**Parental involvement - teen student support centres**

**71** A licensee of a teen student support centre must:

- (a) establish a written plan for involving the parents of children attending the centre in establishing policies for the centre; and
- (b) make known to the parents of the children attending the centre the plan required by clause (a).

28 Sep 2001 cC-7.3 Reg 2 s71.

**Support services - teen student support facilities**

**72(1)** A licensee of a teen student support centre must establish a written plan for developing the parenting skills of the parents of children attending the centre and providing the parents with assistance in promoting the growth and development of the children.

(2) A licensee of a teen student support family child care home must:

- (a) provide opportunities for parents of children attending the home to develop parenting skills; and
- (b) make available to parents of children attending the home information about services and resources in the community that are available with respect to parenting, the growth and development of children and other health and social needs of the parents and children.

28 Sep 2001 cC-7.3 Reg 2 s72.

**Networking requirement - teen student support family child care homes**

**73** A licensee of a teen student support family child care home must, in consultation with a program consultant, develop and implement a plan to enhance the program content and services provided by the home through involvement with other providers of services in the community.

28 Sep 2001 cC-7.3 Reg 2 s73.

**PART VII**  
**Grants**

**DIVISION 1**  
**General**

**Authority to make grants**

**74(1)** The minister may make grants to eligible licensees in accordance with this Part.

(2) In determining whether a grant should be made to a licensee pursuant to this Part and in determining the amount of any grant to be made, the minister may, in addition to any requirements set out in this Part, consider any criteria that the minister considers relevant to the purpose for which the grant is authorized or the well-being of the children attending the facility and that are not inconsistent with this Part.

28 Sep 2001 cC-7.3 Reg 2 s74.

**On-going grants**

**75(1)** Subject to subsection (2), where the amount of a grant made pursuant to this Part is expressed as an amount per month, the grant terminates if the grant is revoked or the licence is amended, suspended or cancelled.

(2) A grant described in subsection (1) that is made to a teen student support facility terminates at the end of the last month of the school year unless the grant is revoked or the licence is amended, suspended or cancelled before the end of that period.

28 Sep 2001 cC-7.3 Reg 2 s75.

**DIVISION 2**  
**Grants for Regular Operations and Programs**

**Start-up grants - centres**

**76(1)** The minister may make a one-time grant to a licensee of a non-profit centre for the purpose of developing child care spaces.

(2) The maximum grant that may be made pursuant to subsection (1) is \$615 per child care space.

28 Sep 2001 cC Reg 2 s76; 2 Oct 2009  
SR 82/2009 s5; 4 Mar 2011 SR 6/2011 s4.

**Space development capital grants - centres**

**76.1(1)** The minister may make a one-time grant to a developmental licensee or a licensee of a non-profit centre for the purpose of assisting the licensee with the costs of developing, renovating or constructing new child care spaces in a centre.

(2) The maximum grant that may be made pursuant to subsection (1) is \$3,360 per new child care space approved by the minister for development.

2 Oct 2009 SR 82/2009 s6.

**Enriched learning environment grants**

**76.2(1)** The minister may make a one-time grant to the licensee of a facility to support the design and implementation of an enriched learning environment.

(2) The maximum grant that may be made pursuant to subsection (1) is:

(a) \$246 per licensed child care space in a non-profit centre; and

(b) \$1,025 per family child care home, group family child care home or teen student support family child care home.

2 Oct 2009 SR 82/2009 s6.

**Start-up grants - homes**

**77(1)** The minister may make a one-time grant to a licensee of a home described in this section with respect to the commencement of operation of the home.

(2) The maximum grant that may be made pursuant to subsection (1) to the licensee of a family child care home or a teen student support family child care home is:

(a) \$2,250 with respect to a home located within the Northern Saskatchewan Administration District; and

(b) \$1,800 with respect to a home located outside the Northern Saskatchewan Administration District.

(3) The maximum grant that may be made pursuant to subsection (1) to the licensee of a group family child care home is:

(a) \$2,500 with respect to a home located within the Northern Saskatchewan Administration District; and

(b) \$2,000 with respect to a home located outside the Northern Saskatchewan Administration District.

(4) The minister may make a one-time grant to a licensee for conversion from a family child care home to a group family child care home with respect to the additional costs associated with the commencement of operation of the group family child care home.

(5) The maximum grant that may be made pursuant to subsection (4) is \$400.

28 Sep 2001 cC-7.3 Reg 2 s77; 22 Jne 2007 SR 47/2007 s3.

**Fire, health and safety grant – homes**

**77.1(1)** The minister may make a one-time grant to a provisional licensee with respect to the costs associated with meeting the necessary fire, health and safety requirements specified in these regulations.

(2) The maximum grant that may be made pursuant to subsection (1) is \$1,200.

22 Jne 2007 SR 47/2007 s4.

**Nutrition grant – homes**

**77.2(1)** The minister may make a grant to a licensee of a family child care home, a group family child care home or a teen student support family child care home with respect to the provision of nutritious meals and snacks.

(2) The maximum grant that may be made pursuant to subsection (1) is:

(a) \$50 per month per licensed child care space with respect to a home located within the Northern Saskatchewan Administration District; and

(b) \$40 per month per licensed child care space with respect to a home located outside the Northern Saskatchewan Administration District.

22 Jne 2007 SR 47/2007 s4.

**Early childhood services grants - centres**

**78(1)** The minister may make a grant to an eligible licensee of a non-profit centre described in this section with respect to the on-going operating and staffing costs to provide child care services.

(2) The maximum grant that may be made pursuant to subsection (1) to the licensee of a full-time centre or a teen student support centre is:

(a) \$616.67 per month per infant child care space;

(b) \$370.00 per month per toddler child care space;

(c) \$185.00 per month per preschool child care space; and

(d) \$123.33 per month per school-age child care space.

(3) The maximum grant that may be made pursuant to subsection (1) to the licensee of an extended hours centre that operates less than 120 hours per week is:

(a) \$770.83 per month per infant child care space;

(b) \$462.50 per month per toddler child care space;

(c) \$231.25 per month per preschool child care space; and

(d) \$154.17 per month per school-age child care space.

(4) The maximum grant that may be made pursuant to subsection (1) to the licensee of an extended hours centre that operates 120 hours per week or more is:

- (a) \$925.00 per month per infant child care space;
- (b) \$555.00 per month per toddler child care space;
- (c) \$277.50 per month per preschool child care space; and
- (d) \$185.00 per month per school-age child care space.

28 Sep 2001 cC-7.3 Reg 2 s78; 6 Jne 2003 SR 50/2003 s3; 9 Jly SR 54/2004 s2; 10 Jne 2005 SR 50/2005 s3; 8 Sep 2006 SR 82/2006 s4; 22 Jne 2007 SR 47/2007 s5; 8 Aug 2008 SR 61/2008 s2; 20 Feb 2009 SR 10/2009 s2; 2 Oct 2009 SR 82/2009 s7; 4 Mar 2011 SR 6/2011 s5.

**Support services grants - teen student support centres**

**79(1)** The minister may make a grant to a licensee of a non-profit teen student support centre with respect to the on-going costs of the centre associated with the provision of services and programs described in section 72.

(2) The maximum grant that may be made pursuant to subsection (1) is:

- (a) \$810 per month per infant child care space; and
- (b) \$680 per month per toddler child care space.

28 Sep 2001 cC-7.3 Reg 2 s79; 8 Sep 2006 SR 82/2006 s5.

**Transitional grants - certain teen student support centres**

**80** The minister may make a grant to the licensee of a non-profit teen student support centre that was in operation on June 30, 1991 in an amount that does not exceed \$76,860 per year.

28 Sep 2001 cC-7.3 Reg 2 s80.

**Support services grants - teen student support family child care homes**

**81(1)** The minister may make a grant to a licensee of a teen student support family child care home with respect to the on-going costs of the home associated with the provision of services and programs described in sections 72 and 73.

(2) The maximum grant that may be made pursuant to subsection (1) is \$350 per month per teen student support child care space.

28 Sep 2001 cC-7.3 Reg 2 s81.

**Northern transportation grants - centres**

**82(1)** The minister may make a grant to a licensee of a non-profit centre that is located within the Northern Saskatchewan Administration District with respect to the transportation of children attending the centre.

(2) The maximum grant that may be made pursuant to subsection (1) is \$20 per month per child being provided with transportation to the centre.

28 Sep 2001 cC-7.3 Reg 2 s82.

**Northern equipment grants - centres**

**83(1)** The minister may make a grant to a licensee of a non-profit centre that is located within the Northern Saskatchewan Administration District with respect to the replacement of equipment and supplies.

(2) The maximum grant that may be made pursuant to subsection (1) is \$100 per year per licensed child care space.

28 Sep 2001 cC-7.3 Reg 2 s83.

**Northern training grants**

**84** The minister may make a grant to a licensee of a non-profit centre that is located within the Northern Saskatchewan Administration District with respect to the provision of training programs for child care workers including, where applicable, the salaries of relief staff.

28 Sep 2001 cC-7.3 Reg 2 s84.

**Equipment and program grants - homes**

**85(1)** The minister may make a grant to a licensee of a family child care home, a group family child care home or a teen student support family child care home with respect to the provision of developmentally appropriate programming, equipment and supplies.

(2) The maximum grant that may be made pursuant to subsection (1) is \$100 per year per licensed child care space.

28 Sep 2001 cC-7.3 Reg 2 s85.

**Employer-sponsored services grants**

**86(1)** The minister may make a one-time grant to a licensee of a non-profit centre that provides child care services to children of the employees of an employer where the employer contributes funding, facilities, equipment or services to the licensee for the purpose of assisting the licensee in developing child care spaces or operating the centre.

(2) The amount of a grant pursuant to subsection (1) must not exceed the lesser of:

- (a) an amount equal to the employer's contribution; and
- (b) \$10,000.

28 Sep 2001 cC-7.3 Reg 2 s86.

**Tuition reimbursement grants**

**87(1)** The minister may make a grant to a licensee of a facility for the reimbursement of tuition fees paid and required books purchased with respect to courses in early childhood education that are successfully completed by the licensee or a person employed in a facility:

- (a) for the purpose of meeting the requirements of these regulations; or
- (b) for the purpose of upgrading his or her qualifications as an early childhood educator.

(2) The maximum grant that may be made pursuant to subsection (1) with respect to a person employed in the facility is:

(a) in the case of courses leading to qualification as an early childhood educator I, the greater of:

(i) \$500 per individual course taken by the person; and

(ii) \$1,500 for an early childhood educator orientation course that, in the opinion of the Director, is equivalent to the courses required to qualify as an early childhood educator I; and

(b) in the case of courses leading to qualification as an early childhood educator beyond the early childhood educator I level, \$500 per individual course taken by the person.

(3) Where the tuition fees with respect to which a grant pursuant to subsection (1) is made were paid by an employee and not the licensee, the licensee shall pay the amount of the grant to the employee who paid the fees.

22 Jne 2007 SR 47/2007 s6; 4 Mar 2011 SR 6/  
2011 s6.

### DIVISION 3 Inclusion Grants

#### **Inclusion grants**

**88** The minister may, in accordance with this Division, make grants to licensees with respect to the additional costs associated with the provision of services for children with diverse needs and children with exceptionally high diverse needs.

28 Sep 2001 cC-7.3 Reg 2 s88.

#### **Individual inclusion grants**

**89(1)** The minister may make a grant to a licensee of a facility in accordance with subsection (2) with respect to a child, where the Director is satisfied that the child is a child with diverse needs.

(2) The maximum amount of a grant pursuant to subsection (1) that may be paid with respect to a child is:

(a) \$300 per month to assist with the additional costs of supervising the child, for a period not exceeding one year;

(b) \$600 per year or where, in the opinion of the Director, there are exceptional circumstances, \$1,200 per year, for the purchase of adapted equipment required to meet the needs of the child;

(c) \$100 with respect to the training of employees and the provision of resources other than resources for which an amount is provided pursuant to clause (a) or (b).

28 Sep 2001 cC-7.3 Reg 2 s89.

**Enhanced accessibility grants**

**90(1)** Subject to subsection (4), the minister may make a grant to a licensee of a facility in accordance with subsection (3) with respect to a child where the Director is satisfied that:

- (a) the child is a child with exceptionally high diverse needs; and
- (b) the parents of the child are:
  - (i) employed;
  - (ii) engaged in a business; or
  - (iii) engaged in a formal program of education or training.

(2) The minister may make a grant to a licensee of a facility in accordance with subsection (3) with respect to a child described in clause (1)(a) where the Director is satisfied that the parents of the child are actively seeking employment and, in the opinion of the Director, are likely to become employed if a grant is provided.

(3) The maximum amount of a grant pursuant to subsection (1) or (2) that may be paid with respect to a child is:

- (a) \$2,000 per month to assist with the additional costs of supervising the child, for a period not exceeding one year;
- (b) \$600 per year or where, in the opinion of the Director, there are exceptional circumstances, \$1,200 per year, for the purchase of adapted equipment required to meet the needs of the child; and
- (c) \$200 with respect to the training of employees and the provision of resources other than resources for which an amount is provided pursuant to clause (a) or (b).

(4) A licensee who receives a grant pursuant to this section is not entitled to receive a grant pursuant to section 89 with respect to the same child.

28 Sep 2001 cC-7.3 Reg 2 s90; 22 Jne 2007 SR  
47/2007 s7.

## PART VIII

### Subsidies

**Interpretation of Part**

**91** In this Part:

- (a) **“applicant”** means an applicant for a subsidy pursuant to this Part;
- (a.1) **“child care subsidy assessor”** means an individual appointed by the minister for the purposes of this Part;
- (b) **“dependent minor”** means an individual under the age of 18 years who is in the lawful care or custody of an applicant or an applicant’s spouse;
- (c) **“eligible child”** means a child who meets the requirements set out in section 92.1;

- (d) **“family unit”** means, in relation to an applicant for a subsidy, the applicant, the applicant’s spouse and their dependent minors;
- (d.1) **“full-time care”** means care provided with respect to attendance at a facility for more than 90 hours per month;
- (d.2) **“part-time care”** means care provided with respect to attendance at a facility for 90 hours or less per month;
- (d.3) **“pre-employment service”** means a service not necessarily related to employment that, if received by an individual, is likely to assist the individual in becoming able to obtain employment;
- (e) **“spouse”** means, in relation to an applicant for a subsidy:
- (i) the legal spouse of the applicant where they are not living separate and apart from each other; or
  - (ii) where an applicant does not have a legal spouse or is living separate and apart from his or her legal spouse, an individual who resides in the same household, has resided in the same household for a period of not less than three months and:
    - (A) shares financial resources and household financial responsibilities with the applicant;
    - (B) represents himself or herself as a spouse of the applicant or as being married to the applicant; or
    - (C) for any reason, identifies the applicant or a child of the applicant as a dependant of the individual.

28 Sep 2001 cC-7.3 Reg 2 s91; 8 Sep 2006 SR 82/2006 s6.

**Authority to pay subsidies**

**92(1)** The minister may pay subsidies to or on behalf of eligible applicants in accordance with this Part.

(2) Subject to sections 94 to 97, in determining whether a subsidy should be paid to or on behalf of an eligible applicant and in determining the amount of any subsidy to be paid, the minister may consider any criteria that the minister considers relevant.

28 Sep 2001 cC-7.3 Reg 2 s92.

**Eligible child**

**92.1** To be an eligible child, a child must be attending a facility:

- (a) at least 36 hours per month; or
- (b) in the case of a school-age child attending a facility during the months of September to June, at least 20 hours in the month.

8 Sep 2006 SR 82/2006 s6.

**Eligible applicant**

**93(1)** To be an eligible applicant, an individual must:

- (a) be the parent of an eligible child; and
  - (b) meet the requirements set out in subsections (2) to (4).
- (2) An individual must be:
- (a) ordinarily resident in Saskatchewan;
  - (b) a student who is temporarily resident in Saskatchewan;
  - (c) a member of the Royal Canadian Mounted Police or the Canadian Forces who is stationed in Saskatchewan; or
  - (d) a foreign national as defined in the *Immigration and Refugee Protection Act* (Canada) who has been granted permanent resident status pursuant to that Act and is not sponsored.
- (3) Either:
- (a) the individual and the individual's spouse, if any:
    - (i) must be employed;
    - (ii) must be actively seeking employment;
    - (iii) must be engaged in a business;
    - (iv) must be engaged in a formal program of education or training;
    - (v) if they are receiving assistance pursuant to The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66, or a transitional employment allowance pursuant to *The Transitional Employment Allowance Regulations, 2005* and none of subclauses (i) to (iv) apply to them, must be receiving a pre-employment service; or
    - (vi) must be receiving medical treatment or rehabilitation services for a condition that prevents the individual or the individual's spouse from participating in the activities described in subclauses (i) to (v) and from caring for the eligible child; or
  - (b) the individual's eligible child must, in the opinion of a child care subsidy assessor, require child care services as a result of the mental, physical, social, emotional, developmental or language needs of the child, the individual or the individual's spouse.
- (4) Both the individual and the individual's spouse, if any, must be assessed by a child care subsidy assessor as requiring at least:
- (a) 20 hours per month of child care if the eligible child is a school-age child attending a facility during the months of September to June; or
  - (b) 36 hours per month of child care in any other case.

**Application**

**93.1(1)** An applicant for a subsidy and the applicant's spouse, if any, must provide to a child care subsidy assessor any information that the child care subsidy assessor requests for the purposes of:

- (a) determining whether the applicant is eligible to receive a subsidy; and
  - (b) if the applicant is eligible to receive a subsidy, determining the amount of the subsidy.
- (2) Without limiting the generality of subsection (1), an applicant who ordinarily resides in Saskatchewan must:
- (a) provide the health services numbers of the applicant and the applicant's spouse; or
  - (b) within 30 days, apply to the Department of Health for a Saskatchewan Health Services card for the applicant and the applicant's spouse.

8 Sep 2006 SR 82/2006 s7.

**Reassessment**

**93.2(1)** A child care subsidy assessor may, from time to time:

- (a) reassess the need of an individual or an individual's spouse for child care, the number of hours of child care required or any other factors related to the individual's eligibility for a subsidy or the amount of the subsidy for which the individual is eligible; and
- (b) adjust the amount of the subsidy being paid to the individual in accordance with the reassessment.

8 Sep 2006 SR 82/2006 s7.

**Income of family unit**

**94(1)** Without limiting the generality of subsection 92(2), the minister may consider:

- (a) the income of an applicant's family unit during any period before the application is made; and
  - (b) the anticipated income of an applicant's family unit during any period after the application is made.
- (2) For the purposes of subsection (1), the income of a family unit includes:
- (a) income from employment, business or property;
  - (b) proceeds from the disposition of property other than the principal residence of the family unit;
  - (c) dividends, interest or other investment income;
  - (d) income from pension or superannuation plans, annuities, registered retirement savings plans and registered retirement income funds;

- (e) Old Age Security, Guaranteed Income Supplement, Spouse's Allowance, Canada Pension Plan and War Veteran's Allowance and Pension payments,
  - (f) Employment Insurance payments;
  - (g) Worker's Compensation payments;
  - (h) training allowances, scholarships or fellowships;
  - (i) alimony, maintenance or child support payments;
  - (j) strike pay;
  - (k) gifts, inheritances and gambling or lottery winnings in excess of \$1,500 per member of the family unit;
  - (l) compensation for illness or injury in excess of \$1,500 per member of the family unit;
  - (m) subject to subsection (3), income from any other source.
- (3) For the purposes of subsection (1), the income of a family unit does not include:
- (a) income from employment of dependent minors;
  - (b) income tax refunds;
  - (c) the Canada Child Tax Benefit;
  - (c.1) the Universal Child Care Benefit;
  - (d) **Repealed.** 8 Sep 2006 SR 82/2006 s8.
  - (e) assistance payments pursuant to The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66, or similar payments from another province or territory, the Department of Indian Affairs and Northern Development (Canada) or an Indian band;
  - (f) payments pursuant to *The Saskatchewan Income Plan Act*;
  - (g) payments pursuant to *The Benefit Adjustment Regulations*;
  - (h) payments pursuant to *The Employment Supplement Regulations*;
  - (h.1) payments pursuant to *The Transitional Employment Allowance Regulations, 2005*;
  - (i) rebates of the goods and services tax and the provincial sales tax;
  - (j) amounts of principal withdrawn from a registered retirement savings plan;
  - (k) refunds of contributions to a pension or superannuation plan that are not locked in;
  - (l) student loans;
  - (m) payments received with respect to foster children in the care of the applicant or the applicant's spouse;

- (n) the value of rent-free housing or the value of a housing subsidy received from a government program;
- (o) any other amount that, in the opinion of the program manager, should be excluded.

28 Sep 2001 cC-7.3 Reg 2 s94; 8 Sep 2006 SR 82/2006 s8.

**Income received as lump sum**

**95** Income in the form of a lump sum payment with respect to an obligation in arrears is included in the calculation of income in the month in which it is received

28 Sep 2001 cC-7.3 Reg 2 s95.

**Maximum subsidy**

**96(1)** In this section:

- (a) **“tier 1 location”** means the City of Regina, the City of Saskatoon or the Northern Administration District;
  - (b) **“tier 2 location”** means the Town of Balgonie, the Town of Battleford, the City of Lloydminster, the Town of Martensville, the Town of Meadow Lake, the City of Moose Jaw, the Town of Nipawin, the City of North Battleford, the Town of Pilot Butte, the City of Prince Albert, the Town of Warman or the City of Yorkton;
  - (c) **“tier 3 location”** means any location within Saskatchewan other than a tier 1 or tier 2 location.
- (2) Subject to subsections (3) to (7), the maximum subsidy that may be paid with respect to eligible children attending facilities is the amount set out in the appropriate table of the Appendix on the basis of:
- (a) the category of facility attended by the eligible child;
  - (b) the category to which the eligible child belongs;
  - (c) whether the child care required by the parents is assessed as full-time care or part-time care for the eligible child;
  - (d) the location in which the facility is located; and
  - (e) in the case of care being provided to a school-age child, the months in which the care is being provided.
- (3) The maximum subsidy that may be paid with respect to care provided to an eligible child in a centre is the amount set out:
- (a) in Table 1 if the centre is situated in a tier 1 location;
  - (b) in Table 2 if the centre is situated in a tier 2 location; and
  - (c) in Table 3 if the centre is situated in a tier 3 location.

- (4) The maximum subsidy that may be paid with respect to care provided to an eligible child in a licensed home is the amount set out:
- (a) in Table 4 if the home is situated in a tier 1 location;
  - (b) in Table 5 if the home is situated in a tier 2 location; and
  - (c) in Table 6 if the home is situated in a tier 3 location.
- (5) Where an eligible child who occupies an infant child care space in a facility attains the age of 19 months, the maximum subsidy that may be paid with respect to the month in which the child attains that age is the maximum subsidy that may be paid with respect to an infant in that facility.
- (6) Where an eligible child who occupies a toddler child care space in a facility attains the age of 30 months, the maximum subsidy that may be paid with respect to the month in which the child attains that age is the maximum subsidy that may be paid with respect to a toddler in that facility.
- (7) Where an applicant is otherwise eligible for a subsidy, the maximum subsidy that may be paid to the applicant is the amount of the fee that the facility would charge to the parents of the child if:
- (a) the parents of the child are receiving assistance pursuant to The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66, or a transitional employment allowance pursuant to *The Transitional Employment Allowance Regulations, 2005*; and
  - (b) the assistance or allowance mentioned in clause (a) does not include an amount with respect to a fee for licensed child care services provided to the child.

8 Sep 2006 SR 82/2006 s9.

**Recovery of overpayments**

**97** An overpayment of a subsidy to a person is a debt due to the Crown and, in addition to any other manner in which it may be recovered, may be recovered by deducting the amount of overpayment from any future payment of a subsidy to or on behalf of that person.

28 Sep 2001 cC-7.3 Reg 2 s97.

PART IX  
**Repeal, Transitional and Coming into Force**

**R.R.S. c.C-7.3 Reg 1 repealed**

**98** *The Child Care Regulations* are repealed.

28 Sep 2001 cC-7.3 Reg 2 s98.

**Transitional**

**99(1)** Notwithstanding the repeal of *The Child Care Regulations*, a licence issued pursuant to the former regulations that is valid immediately before the coming into force of these regulations is continued for the period set out in the licence unless the licence is amended, suspended or cancelled pursuant to section 15 of the Act.

(2) A grant pursuant to the former regulations that, immediately before the coming into force of these regulations, is being paid on a monthly basis is continued for the period set out in the licence of the licensee to whom the grant is being paid unless the grant is revoked or the licence is amended, suspended or cancelled before the end of that period.

(3) A subsidy paid pursuant to the former regulations that, immediately before the coming into force of these regulations, is being paid on a monthly basis is continued while the parent and child on whose behalf it is being paid remain eligible for a subsidy unless the subsidy is revoked or the licence of the licensee of the facility attended by the child is suspended or cancelled.

28 Sep 2001 cC-7.3 Reg 2 s99.

**Coming into force**

**100(1)** Subject to subsection (2), these regulations come into force on July 1, 2001.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2001, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

28 Sep 2001 cC-7.3 Reg 2 s100.

**Appendix**

TABLE 1  
[Clause 96(3)(a)]

Maximum subsidy – centres – tier 1 location

<u>Category of child</u>	<u>Maximum subsidy (per month)</u>	
	<u>full-time care</u>	<u>part-time care</u>
Infant	\$570	\$400
Toddler	440	310
Preschool child	405	285
Kindergarten child	365	365
School-age child – September to June	275	275
– July and August	385	275

TABLE 2  
[Clause 96(3)(b)]

Maximum subsidy – centres – tier 2 location

<u>Category of child</u>	<u>Maximum subsidy (per month)</u>	
	<u>full-time care</u>	<u>part-time care</u>
Infant	\$485	\$340
Toddler	390	275
Preschool child	350	245
Kindergarten child	325	325
School-age child – September to June	245	245
– July and August	340	245

TABLE 3  
[Clause 96(3)(c)]

Maximum subsidy – centres – tier 3 location

<u>Category of child</u>	<u>Maximum subsidy (per month)</u>	
	<u>full-time care</u>	<u>part-time care</u>
Infant	\$410	\$290
Toddler	375	265
Preschool child	340	240
Kindergarten child	315	315
School-age child – September to June	230	230
– July and August	330	230

TABLE 4  
[Clause 96(4)(a)]

Maximum subsidy – licensed homes – tier 1 location

<u>Category of child</u>	<u>Maximum subsidy (per month)</u>	
	<u>full-time care</u>	<u>part-time care</u>
Infant	\$485	\$340
Toddler	440	310
Preschool child	405	285
Kindergarten child	365	365
School-age child – September to June	275	275
– July and August	385	275

TABLE 5  
[Clause 96(4)(b)]

Maximum subsidy – licensed homes – tier 2 location

<u>Category of child</u>	<u>Maximum subsidy (per month)</u>	
	<u>full-time care</u>	<u>part-time care</u>
Infant	\$415	\$295
Toddler	390	275
Preschool child	350	245
Kindergarten child	325	325
School-age child – September to June	245	245
– July and August	340	245

TABLE 6  
[Clause 96(4)(c)]

Maximum subsidy - licensed homes - tier 3 location

<u>Category of child</u>	<u>Maximum subsidy (per month)</u>	
	<u>full-time care</u>	<u>part-time care</u>
Infant	\$410	\$290
Toddler	375	265
Preschool child	340	240
Kindergarten child	315	315
School-age child – September to June	230	230
– July and August	330	230

