

1977 Bill 240

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 240

AN ACT RESPECTING THE PROVISION OF CHILD CARE SERVICES

MR. NOTLEY

First Reading

Second Reading

Third Reading

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AN ACT RESPECTING THE PROVISION OF CHILD CARE SERVICES

(Assented to _____, 1977)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. In this Act,

- (a) “child” means a child under the age of 12 years;
- (b) “child care allowance” means the allowance fixed by regulations issued under the authority of this Act;
- (c) “public day care centre” means a facility primarily for the supervision and care of children for which the licence is held by the Crown, a municipality or a non-profit society, but excludes a school within the meaning of *The School Act*;
- (d) “private day care centre” means a facility primarily for the supervision and care of children for which the licence is held by a person other than the Crown, a municipality or a non-profit society, but excludes a school within the meaning of *The School Act*;
- (e) “family day home” means a facility such as a private home which has been licensed by the Minister for the care and supervision of one to six children;
- (f) “out of school care service” means a facility which has been licensed to provide for the supervision and care of children enrolled in grade school or kindergarten during such eligible periods as they are not engaged in the kindergarten or grade school program;
- (g) “Minister” means the Minister of Social Services and Community Health or such other Minister as is designated to administer this Act by the Lieutenant Governor in Council;
- (h) “parents” includes a foster parent, guardian or other person having custody of a child;
- (i) “resident” means an individual who maintains a principal residence within the Province, or who resided 183 out of the previous 365 days in the Province.

Explanatory Notes

General

Provides for the provision of day care services for children under six years and out of school care for children under twelve years.

I. Definitions.

2. The Minister may establish a program, providing that monies have been previously appropriated to that purpose by the Legislature, for the provision of day care centres either

- (a) by the provision of public day care centres, licensed family day homes and out of school care service financed publicly, or
- (b) by the provision of loans or grants to municipalities or co-operative societies for the provision of public day care centres, licensed family day homes or out of school care services, or
- (c) by the licensing of private day care centres.

3. Every resident who is a parent with a child shall be entitled

- (a) to have such child cared for in a public or private day care centre, family day home or out of school care service, or
- (b) to receive a child care allowance as hereinafter provided in respect of each child for which no centre, home or service listed under clause (a) is available within reasonable distance from his residence or place of occupation

on any day on which both parents are occupied at work or in attendance at an educational institution or, in the case of a single parent, the parent is occupied at work or in attendance at an educational institution.

4. The fees for a day care centre, family day home or out of school care service and the amount of, and qualifications for a child care allowance shall be as established by the regulations pursuant to section 6.

5. Every day care centre, family day home or out of school care service shall be licensed by the Minister if it meets the standards required by the regulations.

6. The Lieutenant Governor in Council may make regulations, not inconsistent with the provisions of this Act, for the purposes of fulfilling the purposes of this Act, including but not limited to

- (a) the operation of and facilities to be provided and conditions in day care centres, family day homes, or out of school care service,
- (b) the level of supervision and qualification of supervisors in day care centres, family day home or out of school care services,
- (c) establishing fees to be paid for each child that attends a day care centre, family day home or out of school service,
- (d) establishing procedures and forms for the purposes of this Act,
- (e) defining a reasonable distance for different localities for the purposes of section 3, and

2. Program for provision of centres.

3. Parent entitled to day care service or an allowance in lieu thereof.

4. Amount of fee for day care and of allowance.

5. Licensing of centres.

6. Regulations.

- (f) establishing the amounts of and qualifications for child care allowances, provided that monies have been appropriated to that purpose by the Legislature.

7. (1) The Minister shall before the first day of February in each year prepare a report showing, for the past year

- (a) the location and capacity of existing day care centres, family day homes or out of school care services,
- (b) the estimated number of children for which no such services exist, and
- (c) the projected expansion of or additions to the existing day care centres, family day homes or out of school care services,

for each electoral district in the Province.

(2) The annual report, when complete, shall be tabled by the Minister forthwith in the Legislative Assembly if it is then sitting, and if it is not then sitting, within 15 days of the commencement of the next sitting.

8. Every person who

- (a) owns or operates a day care centre, family day home or out of school care service without having first obtained a licence therefor from the Minister, or
- (b) fails to comply with any regulation issued hereunder in respect of the operation of a day care centre, family day home or out of school care service, or
- (c) makes a false statement in order to obtain a licence for a day care centre, family day home or out of school care service, or
- (d) makes a false statement in order to obtain day care service for himself or a child,

commits an offence hereunder and on summary conviction is liable to a fine of up to \$1,000 or up to three months' imprisonment or to both fine and imprisonment.

9. This Act comes into force on a date to be fixed by Proclamation which shall not be earlier than the date of an appropriation by the Legislature of monies for the purposes of this Act.

7. Annual report.

8. Offences and penalties.