

GOVERNMENT NOTICE NO. 69 published on 25/1/2019

THE LAW OF THE CHILD ACT
(CAP. 13)

REGULATIONS

(Made under sections 145 and 157(i))

THE LAW OF THE CHILD (CHILDREN'S HOMES)(AMENDMENT)
REGULATIONS, 2019

Citation
G.N No 155
of 2012

1. These Regulations may be cited as the Law of the Child (Children's Homes) (Amendment) Regulations, 2019 and shall be read as one with the Law of the Child (Children's Homes) Regulations, 2012 hereinafter referred to as the "principal Regulations".

Amendment of
title

2. The principal Regulations are amended by deleting the enabling provision and substituting for it the following:

"(Made under sections 145 and 157(i))"

Amendment of
Regulation 7

3. The principal Regulations are amended in regulation 7, by-

(a) deleting the opening words of the regulation and substituting for it the following:

"7. A person shall, in order to obtain a license to operate a children's home, demonstrate-"

(b) adding the article "and" at the end of paragraph (b);

(c) deleting the semicolon (;) and the article "and" appearing at the end of paragraph (c) and substituting for them a full stop (.); and

(d) deleting paragraph (d).

Addition of
regulation 7A

4. The principal Regulations are amended by adding, immediately after regulation 7, a new regulation 7A as follows:

“Requirement
for owner’s
new
children’s
home

7A. A licensee of a new children’s home shall, within six months of being granted the license, submit a list of staff and their credentials to the Social Welfare Officer and shall not admit a child to the Home until the staffing requirements under Regulation 10 are fulfilled.”

Amendment of
Regulation 15

5. The principal Regulations are amended in Regulation 15(1), by deleting the words “forms identical to Form No. 10 and Form No. 11 respectively” appearing in paragraph (a) and substituting for them the words “form identical to Form No. 10”.

Amendment of
Regulation 18

6. The principal Regulations are amended in Regulation 18-

- (a) in sub regulation (7), by-
 - (i) deleting the hyphen (-) appearing at the end of the opening phrase and substituting for it a full stop(.); and
 - (ii) deleting paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), and (k) respectively;
- (b) by deleting the repeated sub regulations (2), (3), (4), (5), (6) and (7) respectively.

Amendment of
Regulation 19

7. The principal Regulations are amended in Regulation 19-

- (a) in sub regulation (1) -
 - (i) in paragraph (a), by-

- (aa) deleting the words “there shall be” appearing in sub paragraph (i) and substituting for them the words “availability of”;
- (bb) deleting the words “there shall be” appearing in sub paragraph (ii);
- (cc) deleting the words “there shall be” appearing in sub paragraph (iii); and
- (dd) deleting sub paragraph (iv);
- (ii) in paragraph (b), by deleting the words “shall be provided”;
- (b) in sub regulation (2), by-
 - (i) inserting, immediately after the opening words of the sub regulation, a new paragraph (a) as follows:

“*(a)* male children who have attained the age of four years are not to be allowed to sleep in the same room or dormitory where female children who have attained the age of four years and above sleep;
 - (ii) re-designating the contents of paragraphs (a), (b), (c), (d), (e), (f), (g), (h) and (i) as contents of paragraphs (b), (c), (d), (e), (f), (g), (h), (i) and (j) respectively.

Amendment of
Regulation 30

8. The principal Regulations are amended in Regulation 30-

- (a) in sub regulation (2), by inserting the words “the child,” between the words “by” and “a”;
- (b) by deleting sub regulations (3) and (4) and substituting for them the following:

“(3) A person entitled to make a complaint shall lodge the complaint in writing or orally to the welfare committee established as

such in terms of section 134 of the Act.

(4) The procedure for determination and award of a welfare committee shall be as prescribed in Regulations governing welfare committees.”

Addition of
regulation 30A

9. The principal Regulations are amended by adding, immediately after regulation 30, a new regulation 30A as follows:

“Appeal
against
complaint

30A. Any person aggrieved by the decision of a welfare committee may, within twenty one days from receipt of the decision of the committee, appeal to the Minister.”

Amendment of
Schedules

10. The principal Regulations are amended in the Schedules-

- (a) by deleting the word “Rule” wherever it appears in the enabling provisions of the Schedules and substituting for it the word “Regulation”; and
- (b) in the Fourth Schedule, by deleting the enabling provision appearing in C.H.Form No. 10 and substituting for it the following:
“(Regulation 15(1)(a))”.

Dodoma,
3 December, 2018

UMMY A. MWALIMU
*Minister for Health, Community Development,
Gender, Elderly and Children*