

THE STATUTES OF THE REPUBLIC OF SINGAPORE

CRECHE ESTABLISHMENTS ACT

(CHAPTER 66)

Act
13 of 1973

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Creche Establishments Act

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An Act to provide for the licensing and control of establishments for creches.

[*]

1. This Act may be cited as the Creche Establishments Act and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint. Short title and commencement.
2. In this Act, unless the context otherwise requires — Interpretation.

“appointed day” means the day appointed by the Minister under section 1;

“creche” means any premises where children under the age of 6 years are received, whether for reward or not, to be looked after during the whole or part of the day or night but does not include nursing homes and maternity homes as defined in the Nursing Homes and Maternity Homes Registration Act and pre-school institutions registered with the Ministry of Education; Cap. 210.

*This Act was not in operation when this Revised Edition was brought into force.

“licence” means a licence issued under this Act;

“licensee” means any person to whom a licence is issued under this Act;

“Licensing Officer” means the officer appointed by the Minister under section 3 and includes an Assistant Licensing Officer.

Appointment of officers.

3. The Minister may by notification in the *Gazette* appoint a Licensing Officer and such number of Assistant Licensing Officers as may be necessary for the purposes of this Act.

Licensing of persons to carry on establishments for creches.

4.—(1) No person shall on or after the appointed day carry on an establishment for a creche without a licence under this Act.

(2) An application for a licence shall be made to the Licensing Officer in such form and manner and shall contain such information as may be prescribed.

(3) On receipt of an application for a licence the Licensing Officer may require the applicant to furnish him with such additional information as he may require.

(4) After the receipt of an application for a licence and of any additional information that he may require and on payment of the prescribed fee the Licensing Officer may issue a licence to the applicant in such form as may be prescribed subject to such conditions as he may impose or as may be attached thereto.

(5) Every licence shall, unless previously revoked, expire at the end of one year from the date on which it was issued.

Restriction.

5. No licence shall be issued —

- (a) to any person under the age of 21 years;
- (b) to any person who is in the opinion of the Licensing Officer unfit to hold a licence;
- (c) in respect of premises which are in the opinion of the Licensing Officer unsuitable for the purpose of an establishment for a creche or in which the accommodation or provision for a creche is not adequate or suitable;
- (d) in respect of any establishment for a creche which is being or is likely to be carried on in

contravention of this Act or any regulations made thereunder.

6.—(1) The Licensing Officer may, before issuing a licence, require an applicant to give security in such form or manner as he may approve and the security may be by bond, guarantee, cash deposit or any other method or by the combination of two or more such methods. Security.

(2) Any sum deposited or bond entered into under this section shall be liable to forfeiture in whole or in part at the discretion of the Licensing Officer on revocation of the licence.

(3) Any person aggrieved by a forfeiture under this section may within 14 days of the notice of the forfeiture appeal to the Minister whose decision shall be final.

7.—(1) The Licensing Officer may refuse any application for a licence if, having regard to the provisions of this Act and the regulations made thereunder, he considers it necessary or expedient to do so and may suspend or revoke any licence if it appears to him that circumstances exist in respect of any licensee or licensed premises which would justify a refusal under section 5. Refusal and revocation of licence.

(2) Any person aggrieved by a decision of the Licensing Officer under this section may, within 14 days of the notification of the refusal, suspension or revocation, appeal in writing to the Minister whose decision shall be final.

(3) Where a licence has been revoked and either the licensee has not appealed or his appeal has been dismissed, the licensee shall at the request of the Licensing Officer return the licence.

(4) If the licensee fails to return the licence to the Licensing Officer under subsection (3) he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

8.—(1) The Licensing Officer or any officer authorised by him in writing in that behalf may at all reasonable times enter and inspect any premises which he has reasonable cause to believe are used as a creche and examine all books or other documents found in the premises and remove them for further examination. Power to enter and inspect premises.

(2) The Licensing Officer or any officer authorised by him in writing in that behalf may enter the premises of a creche at any reasonable time for the purpose of observing, supervising and checking the daily programme and activities being conducted therein.

Offences.

- 9.** Any person who, after the appointed day —
- (a) carries on an establishment for a creche in respect of which he does not hold a licence;
 - (b) for the purpose of obtaining, whether for himself or for any other person, a licence makes any declaration or statement which is false in any material particular or knowingly alters, produces or makes use of any such declaration or statement or any document containing the same;
 - (c) refuses to permit the Licensing Officer or any officer authorised by him to enter or inspect any premises which the officer is authorised under this Act to enter and inspect or obstructs any such officer in the execution of his duty; or
 - (d) carries on an establishment for a creche in contravention of the provisions of this Act or any regulations made thereunder or any condition of a licence,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both, and to a further fine not exceeding \$50 for every day during which the offence continues after conviction.

Exemption.

10. The Minister may by order exempt any person or premises from all or any of the provisions of this Act.

Regulations.

- 11.—(1)** The Minister may make regulations —
- (a) prescribing the control and management of establishments for creches;
 - (b) prescribing the standards of health and safety to be observed in establishments for creches;
 - (c) prescribing the fees to be charged in respect of licences;
 - (d) prescribing the conditions subject to which licences may be issued;

- (e) prescribing any matter which is required under this Act to be prescribed; and
- (f) generally for carrying out the purposes and provisions of this Act.

(2) All such regulations shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication.