

CHILDREN AND FAMILIES (WALES) MEASURE 2010

EXPLANATORY NOTES

Part 2: Child Minding and Day Care for Children

Section 19: Meaning of “child minding” and “day care for children”

53. [Section 19](#) defines “child minding” and “day care for children” for the purpose of regulating these activities under Part 2 of the Measure.
54. A person is a “child minder” if they look after one or more children under the age of eight on domestic premises for reward.
55. A person provides “day care for children” if they provide care at any time for children under the age of eight on premises other than domestic premises.
56. Subsection (3) provides the Welsh Ministers with a power by order to change the ages referred to in the definitions of “child minder” and “day care for children” and to specify circumstances which will amount to exceptions from the definitions. A person whose activity falls within the circumstances specified by order will not be a child minder or a provider of day care (as the case may be) and will not be required to register either under section 21 or section 23. Subsection (5) sets out a non-exhaustive list of the kinds of matters in relation to which exceptions may be made: (a) the category of person providing the child minding or day care; (b) the child or children for whom it is provided; (c) the nature of the child minding or day care; (d) the premises on which it is provided; (e) the times during which it is provided and (f) the arrangements under which it is provided.
57. The principal factor which distinguishes child minding from day care is whether or not children are cared for on “domestic premises”, which are defined in subsection (6) as any premises which are wholly or mainly used as a private dwelling.