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STATUTORY INSTRUMENTS

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**1995 No. 755**

**The Children (Northern Ireland) Order 1995**

**PART XI**

**CHILD MINDING AND DAY CARE FOR YOUNG CHILDREN**

**Exemptions**

**121.**—(1) Articles 118 to 120 shall not apply in relation to any child while he is looked after in any school which he is attending for the purposes of full-time education.

(2) Article 118(1)(b) shall not apply in relation to any child looked after in—

- (a) a home provided under Part VII;
- (b) a voluntary home or a registered children's home;
- (c) a nursing home or a residential care home;
- (d) a hospital administered by a Board or Health and Social Services trust;
- (e) a home or other institution not falling within sub-paragraphs (a) to (d) but provided by the Secretary of State, a government department or a prescribed public body.

(3) The exemption provided by paragraph (1) or (2) shall apply only where the child concerned is being looked after in accordance with provision for day care made by—

- (a) the Board, trust, department or other person carrying on the establishment in question as part of the establishment's activities; or
- (b) a person employed to work at that establishment and authorised to make that provision as part of the establishment's activities.

(4) Where day care for children under the age of twelve is provided in particular premises on less than six days in any year, that provision shall be disregarded for the purposes of Articles 118 to 120 if the person making it has notified the authority in writing before the first occasion on which the premises concerned are so used in that year.

(5) In paragraph (4) "year" means the year beginning with the day on which the day care in question is (after the commencement of that paragraph) first provided in the premises concerned and any subsequent year.

(6) Article 118(1)(b) shall not apply in relation to such supervised activity (within the meaning of Article 19) as may be prescribed.