

INFORMATION REGARDING THE DAY NURSERIES ACT

In the Province of Ontario, you may care for up to five children under the age of 10 years, in addition to your own children, at any one time. Any premises that exceeds this number must be licensed as a day nursery and meet all of the requirements as outlined in the Day Nurseries Act (R.S.O. 1990, c.D.2, O.Reg 262)

As an informal caregiver, there is no restriction as to the ages of children that you may care for, under the age of 10 years of age (i.e. you may care for any combination of infants, toddlers, preschoolers and school-aged children) as long as you don't exceed five children, in addition to your own, **at any one time.**

Examples:

If you provide care for 3 children during the day, you may also provide after-school care for 2 school-age children in addition to your own.

If you provide care for 5 children during the day you are at your maximum number of children and cannot care for any additional school-age children under the age of 10 after school.

If you provide care for 7 children on varying days, you must ensure that the schedules are arranged so that you never exceed 5 children at any one time.

If you are a provider with a licensed Private Home Day Care agency there are some restrictions that must be adhered to, as outlined in the Day Nurseries Act. If you have children of your own that are under the age of six years, those children must be counted as part of the five children in care. If the agency places a child in your home that is over the age of 10 years, this child must also be counted as part of the five children in care. Of those five, the following restrictions apply:

- * two handicapped children
- * two children who are under two years of age
- * three children who are under three years of age
- * one handicapped child and one child who is under two years of age
- * one handicapped child and two children who are over two years of age but under three years of age

The agency will determine the number and ages of children who may be cared for in each home within the above restrictions.

Note: It is the Private Home Day Care agency that is licensed, not the provider or home.

Since the Day Nurseries Act refers to "premises", even if there are two adults present, you are still limited to five children.

Any person convicted of operating a day nursery without a licence is liable to a fine of not more than \$2,000 for each day of illegal operation and/or imprisonment of up to one year.

If you have any questions regarding the Day Nurseries Act, contact the Regional Office of the Ministry of Children and Youth Services.