

Law No.1 of 2014 Regulating the Activities of Nursery Schools 1 / 2014

Number of Articles: 25

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We, Tamim bin Hamad Al-Thani, Emir of Qatar,
Having reviewed the Constitution,
Decree-Law No. 7 of 1980 regulating private schools, as amended by Decree-Law No. 13 of 1999,
The Labour Law as promulgated by Law No. 14 of 2004, and amendments,
Emiri Resolution No. 40 of 2009 regarding the organizational structure of the Ministry of Social Affairs,
The Council of Ministers Resolution No. 39 of 2010 amending the organization of some administrative units that
comprise the Ministry of Social Affairs and defining its functions,
The proposal of the Minister of Labour and Social Affairs,
The bill submitted by the Council of Ministers, and
After consulting the Shura Council,
Hereby promulgate the following law:

الفصل الأول: تعاريف وأحكام عامة

Article 1

In the implementation of the provisions of this Law, the following words and expressions shall have the meanings hereby assigned to each, unless the context otherwise requires:

“**Ministry**”: means the Ministry of Labour and Social Affairs;

“**Minister**”: means the Minister of Labour and Social Affairs;

“**Department**”: means the competent administrative unit at the Ministry; and

“**Nursery (Nursery School)**”: Any place designated for the care of children until four (4) years of age, including nurseries attached or annexed to a government or private school, in accordance with the conditions and controls established by a decision issued by the Minister in this respect.

Article 2

The Nurseries shall be established in views of providing integrated care and services for children enrolled therein, and to provide the appropriate conditions for the development of their skills and talents in various fields using a scientific education system, and in particular the following:

1. Creation of a sound psychological atmosphere for the child, responding to his mental state and developing the feelings of security in him, trust, kindness and compassion;
2. Sound and proper child upbringing as well as the development of hygienic norms which enables the child to acquire the necessary healthy habits;
3. Caring for the linguistic development of the child by way of providing opportunities and areas that encourage him to speak and use the appropriate words and phrases in his daily communication and conducting continuous assessments for him, during his activities;
4. Development of the child's senses and perceptions, providing adequate areas for the child to develop simple scientific concepts and

satisfy his sense of curiosity; and

5. Instilling moral and religious values in the minds of children therein.

Article 3

Nurseries shall be responsible for the health, safety and well-being of the children enrolled therein.

Article 4

The Department shall undertake the classification of nurseries whose rules, including the qualifications of its employees and fee collected, shall be determined by virtue of the Minister's decision thereof.

الفصل الثاني: الترخيص

Article 5

It shall not be permitted to establish, manage or change the location of a nursery or engage in any of the activities thereof, or change the specifications thereof prior to obtaining the relevant license from the Department.

Article 6

The applicant for a licence to establish a nursery school shall comply with the following conditions:

1. Be at least Twenty-One (21) years old;
2. Be of good conduct and reputation;
3. Never have been convicted with a final judgement in respect of a crime involving dishonesty or breach of trust, even if he has been reinstated; and
4. Make a deposit of One Hundred Thousand Qatari Riyals (QR100,000) with the Ministry, which shall remain valid throughout the original or extended term of the licence. The foregoing deposit shall be refunded in the event of a request by the licensee to end the practice of the nursery's activity, upon confirmation of the absence of any due amounts thereto.

Article 7

The requirements to be met within the premises of the nursery shall be determined by virtue of the decision issued by the Minister in this respect.

Article 8

Each nursery school shall adopt a special name, distinctive from others, which should be approved by the Department

Article 9

The application for a license to establish, renovate, change the location or manage a nursery or change the specifications thereof, or engage in any of the activities thereof, shall be submitted to the Department on the form destined for such purpose along with the documents required by the Department.

The Department shall decide on the foregoing application, within thirty (30) days from the date of submission, and notify the concerned applicant of its decision, at his place of residence or business centre via a registered letter, or in any way indicating knowledge of the decision. In case of rejection of such application, the decision shall be reasoned. The elapse of the aforementioned period without a response shall be deemed an implicit rejection of the application.

The applicant whose application has been rejected may file appeal to the Minister within ten (10) days from the date of his notification of the decision, or from the date at which his application is deemed to be implicitly rejected.

The Minister shall decide on such appeal within thirty (30) days from the date of submission thereof, and his decision shall be final. The lapse of the aforementioned period without a decision on the appeal shall be deemed an implicit rejection thereof.

Article 10

A nursery school license shall be granted for the period of one (1) year, renewable for similar period (s), subsequent to verification of its compliance with the procedures and conditions stipulated in this Law and the Bylaws related thereto, and payment of the prescribed fee thereof, which shall be determined upon a decision issued by the Minister.

Article 11

The licensee shall not be permitted to assign the license except upon obtaining the prior written consent of the Department.

However, the Department's approval to assign the license shall be subject to verification of the fulfilment of all the procedures and conditions to be met by the assignee.

In case of transfer of the nursery to a non-licensee, the person to whom the nursery has been transferred shall notify the Department, within thirty (30) days from the date of the such transfer, provided that the notification shall include a statement of the cause of transfer, along with an undertaking indicating fulfilment of the procedures and conditions stipulated in this Law in this respect.

In the event the licensee intends to terminate the license before its expiry, shall notify the Department and children's parents in writing three (3) months prior to the date of such termination, and refund any fees paid in advance or expenses for the period following that date.

Article 12

The licensee, within thirty (30) days from the date of issuance of the license shall prepare policy and procedures manual for the Nursery in accordance with the guidelines prepared by the Department for that purpose. The policy and procedures manual shall be positioned in a prominent place within the premises that is accessible for viewing. The policy and procedures manual shall include the following details:

1. The administrative and financial system of the nursery, the programs thereof and the competences of the employees therein;
2. The terms and conditions for the admission and enrolment of Children and the fees collected by the nursery in consideration of providing child care as well as payment term thereof; and

3. The types of health care, nutrition, education and recreation provided to the children, in conformity with the controls and conditions approved by the competent authorities.

The policy and procedures manual shall be in effect, subject to the approval by the Department.

الفصل الثالث: إدارة دور الحضانة

Article 13

The management of the nursery shall be undertaken by a qualified female director, who shall be responsible before the Department concerning the operation of the nursery. She shall be aided in the discharge of her functions by a general supervisor, an assistant supervisor, a dietician, a nurse and a female physician, a visiting male physician or more paediatric specialists or general practitioners. In addition, there should be an adequate number of guards, cleaners, drivers and other appropriate employees.

Article 14

Only female employees shall be employed in the nursery; however non-females may be engaged as visiting physicians or as persons not directly involved in the supervision of children.

Article 15

Any person employed in a nursery shall satisfy the following conditions:

1. Shall be free of communicable and infectious diseases, which shall be proved by virtue of a certificate issued by the competent medical authority;
2. Shall not have been previously dismissed from work by a disciplinary action;
3. Shall be of good conduct and reputation;
4. Shall not have been convicted of any offence prejudicing honesty or trust, unless reinstated;
5. Shall have an appropriate qualification for the position occupied, and shall be equipped with the necessary technical and educational experience for the director, general supervisor, assistant supervisor and dietician, in accordance with the controls and conditions issued in the decision by the Minister.

In all cases, due consideration shall be given to ensure that the entire employees of the nursery are duly licensed for the respective activities they practice, by the competent authorities in the State.

Article 16

The nursery shall keep the records and files necessary for the regulation of its operations therein, in respect of technical, administrative and financial aspects. The Department shall determine such records and files in addition to the data to be registered in each.

الفصل الرابع: الإشراف على دور الحضانة ورقابتها

Article 17

The operation of the Nursery shall be subject to the Ministry's supervision and control, to verify their level of compliance with the Law and the designated classification conditions issued by the Ministry.

Article 18

The Department shall issue a written warning for any nursery which breaches the the provisions of the Law on the first occasion that a breach occurs, indicating the nature of the breach and requiring that the breach is rectified within a period to be specified by the Department in the warning..

In the event the nursery's breach is repeated or persists, the Ministry may deduct Ten thousand Qatari Riyals (QR10,000) from the One Hundred Thousand Riyals (QR100,000) deposit stipulated in the provisions of the Article 6 hereof. If such deduction has been made, the licensee shall be obliged to 'top-up' payment to ensure that the deposit held is always an amount equal to the foregoing and rectify the breach within a period to be specified by the Department.

Should the Nursery persist in said breach, or re-perpetrate the same breach once again, the Department shall refer the matter to the Minister together with the Department's proposed recommendations in this respect.

Article 19

The Minister in the event stipulated in the provisions of the preceding Article, and without prejudice to the rights of children in the nursery, may cancel the license, place the nursery school under a temporary management by the Department, or administratively close it down for a period not exceeding three (3) months or downgrade its classification, and notify the concerned person to this effect, at his place of residence or business centre via a registered letter, or in any way indicating knowledge of the decision.

The concerned person may appeal against the Minister's decision within fifteen (15) days from the date of his notification of the decision.

The Minister shall decide on such appeal within thirty (30) days from the date of submission thereof, and such decision shall be final. The lapse of the aforementioned period without a decision on the appeal shall be deemed an implicit rejection thereof.

الفصل الخامس: العقوبات

Article 20

Without prejudice to any penalties provided for in any other law, the penalty of incarceration for a period not exceeding two (2) years and payment of fine not exceeding One Hundred Thousand Qatari Riyals (QR100,000), or either one of them, shall be imposed on anyone who:

1. Establishing, managing or changing the location of a nursery school or engaging in any of the activities thereof, or changing the specifications thereof prior to obtaining the relevant license pursuant to the provisions of this Law;
2. Knowingly, writing or submitting written statement or records required by the Law which contains false information;
3. Operating the nursery in contravention to the purpose for which it was established; and
4. Violating any of the provisions of Article 11 of this Law.

In addition to the foregoing penalties, the competent court may issue a decision to shut down a nursery school on a temporary or permanent basis.

الفصل السادس: أحكام ختامية

Article 21

The provisions of the Labour Law No. 14 of 2004, referred to herein above shall apply to the employees of the nursery.

Article 22

Any Ministry employee who are duly authorised with the capacity of judicial control officers by virtue of a decision of the Attorney General, in accord with the Minister, shall be entitled to carry out seizure and establishment of evidence of offences committed in violation of the provisions of the Law herein

Article 23

The existing nurseries at the time this Law becomes effective, should adjust their status in accordance with the provisions herein within six (6) months of the date of publication in the official gazette. The Minister may extend this period to any other period which it considers suitable.

Article 24

The Minister shall issue the necessary decisions for the implementation of the provisions of this Law, and until the issuance of such decisions, the existing decisions shall remain in effect to the extent they do not contradict with the provisions of the Law herein.

Article 25

All the competent authorities, each within its respective jurisdiction, shall implement the provisions of this Law, which shall be enforced from the date of its publication in the *Official Gazette*.