

NOTICE 230 OF 2012**DEPARTMENT OF LABOUR****AMENDMENT OF NOTICE ISSUED IN TERMS OF SECTION 71(8) OF THE LABOUR RELATIONS ACT, NO 66 OF 1995**

The Essential Services Committee gave notice under Government Notice No 1462 published in Government Gazette No 27104 of 24 December 2004 *inter alia* that "the whole of the services provided by Children's Homes and Places of Care in terms of section 30 of the Child Care Act of 1983" had been declared essential services.

The Child Care Act of 1983 has been repealed by the Children's Act of 2005, as amended.

In terms of section 196 of the Children's Act of 2005, as amended, an existing state operated children's home established or deemed to have been established in terms of the Child Care Act of 1983 must be regarded as having been established in terms of the Children's Act of 2005, as amended, as "a child and youth care centre". The effect of the provisions of section 196 of the Children's Act of 2005, as amended, is that Children's Homes and Places of Care continue *ipso iure* to operate as Child and Youth Care Centers under that Act.

In order to align the provisions Government Notice 1462 of 24 December 2004 with the amended legal position as contemplated by section 196 of the Children's Act of 2005, as amended, it is imperative to amend the said Notice.

For the above reasons the Essential Services Committee hereby substitutes item 1(b) of Government Notice 1462 of 24 December 2004 with the following:

"the whole of the services provided by Child and Youth Care Centers in terms of section 196 of the Children's Act of 2005, as amended".

Mr Grahame Matthewson
Chairperson: Essential Services Committee