

# **FACT SHEET**

## **Child Care Licensing Regulation**

### ***Community Care and Assisted Living Act***

## **EXEMPTIONS**

The *Community Care and Assisted Living Act*, Section 16, states that: A medical health officer may grant an exemption from a requirement of this Act or the regulations to a licensee or an applicant for a licence who applies for the exemption, if satisfied that

- there will be no increased risk to the health and safety of persons in care, and
- the exemption meets prescribed requirements.

A medical health officer may attach terms and conditions to the exemption and suspend, cancel or vary an exemption granted.

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### **What is an exemption?**

An exemption is a release from a requirement, in this case, a requirement of legislation.



### **What is the purpose of an exemption?**

An exemption gives local decision makers flexibility and the discretion to consider unique situations when the requirements of legislation are challenging for the applicant or licensee; in such circumstances, if the health and safety of children in care is not jeopardized, an exemption or release from a requirement may be possible.

### **What can be exempted?**

Any requirement of the Act or regulation that is not listed in Schedule A of the Child Care Licensing Regulation may be exempted.

### **What cannot be exempted?**

Legislative requirements from which there can be no exemptions are listed in Schedule A of the Child Care Licensing Regulation.

## How do I request an exemption?

Community Care Licensing Programs are administered locally by health authorities through Medical Health Officers who delegate the day-to-day duties to Licensing Officers. A licensee or applicant for a licence must apply to the local Community Care Licensing Program for an exemption by completing an application form required by the health authority; the application form requests specific information relevant to the exemption.



## What information do I need to provide when requesting an exemption?

- application for exemption
- documentation to support the exemption
- assessment of risk to health and safety of those in care
- number of persons impacted
- length of exemption
- facility history

## What happens if an exemption is denied/not granted?

If an exemption is not granted, it cannot be appealed or reconsidered. The licensee must reapply with new or additional information. A Medical Health Officer must provide the applicant with written reasons for denying the exemption in part or in full.

## For more information

Contact the local health authority community care licensing program and speak with a licensing officer.