

GOVERNMENT NOTICE NO. 740 Published on 18/10/2019  
THE LAW OF THE CHILD ACT,  
(CAP. 13)

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**REGULATIONS**

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*(Made under section 157 (a))*

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THE LAW OF THE CHILD (FIT PERSONS) REGULATIONS, 2019

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GOVERNMENT NOTICE NO. 740 Published On 18/10/2018

THE LAW OF THE CHILD ACT,  
(CAP. 13)

REGULATIONS

*(Made under section 157 (a))*

THE LAW OF THE CHILD (FIT PERSONS) REGULATIONS, 2019

PART I

PRELIMINARY PROVISIONS

- Citation                    **1.** These Regulation shall be cited as the Law of the Child (Fit Persons) Regulations, 2019.
- Interpretation            **2.** In these Regulations, unless the context otherwise require-
- Cap. 13                    “Act” means the Law of the Child Act;  
                                  “authorised officer” means the Commissioner for Social Welfare or any other person to whom powers of the Commissioner are delegated;  
                                  “child” means a person below the age of eighteen years;  
                                  “Commissioner” means the Commissioner for Social Welfare;  
                                  “department” means the department of social welfare;  
                                  “fit person” means a person who is of high moral character, intergrity, sound mind and who is not a relative of the child and has been approved by a social welfare officer as being capable of looking after a child and providing a caring home for the child;  
                                  “social welfare officer” means a social welfare officer in the service of the Government;
- Application                **3.** These Regulations shall apply to the placement of a child with a fit person.

PART II  
GENERAL DUTIES OF THE SOCIAL WELFARE DEPARTMENT

General duties  
of social welfare  
department  
G.N. No.  
11 of 2015

4.-(1) In accordance with regulation 7(2)(f) of the Child Protection Regulations, the head of the social welfare department in each district shall establish and maintain a pool of fit persons to meet the needs of children in the care of the local government authority or under a place of safety.

(2) The social welfare department shall have responsibility for recruiting and training fit persons but shall have the power to delegate this function to an appropriate agency or body with experience and knowledge of recruiting and training fit persons or foster carers.

Eligibility to  
apply to be fit  
person

5.-(1) The following persons may apply to be a fit person-

(a) a husband and wife, who are ordinarily resident in Tanzania, provided that where a man has more than one wife, the name of the wife who is to be the fit person shall be clearly stated in the application;

(b) a single woman who is ordinarily resident in Tanzania;

(2) For purposes of subregulation (1), a person shall be considered ordinarily resident in Tanzania if that person has lived in Tanzania for at least one year and intends to remain permanently in Tanzania.

(3) A fit person shall be a person who is not younger than twenty five years and not older than sixty five years, but where a fit person reaches the age of sixty five while a child is placed with him, the child may continue to be placed with the fit person if it is in the best interest of the child.

(4) Where a child is placed with a husband and wife who fall under subregulation 1(a), and the wife dies or is otherwise unable to continue as a fit person for the child, but the husband seeks to continue caring for the child as a fit person, the social welfare department shall assess the husband so as to determine whether it is in the best interest of the child to remain in the placement.

Application to  
become fit  
person

6.-(1) The social welfare department shall recruit fit persons by announcing vacancies through district and ward bodies and organisations.

(2) A person interested in becoming a fit person shall apply to the head of the social welfare department in the district where he is ordinarily resident by completing Form No.1(a) for individual applicant or Form No.1(b) for married

couples as set out in the First Schedule.

Determination  
of applicant's  
eligibility

**7.**-(1) On receipt of an application under regulations 6, the head of the social welfare department shall determine whether an applicant is eligible to apply to be a fit person.

(2) Where the head of the social welfare department determines that an applicant is eligible, he shall instruct a social welfare officer to undertake an assessment of the applicant not later than fifteen days after the receipt of the application.

(3) The head of the social welfare department shall ensure that the social welfare officer undertaking the assessment is trained to do so.

(4) The Commissioner of Social Welfare shall determine the training and experience required of any officer undertaking an assessment to determine the suitability of an applicant.

Undertaking  
assessment

**8.**-(1) A social welfare officer shall undertake an assessment by using a checklist of questions for fit persons set out in the Third Schedule to establish the suitability of the applicant and the ability of the fit person to provide a stable and caring home for a child.

(2) An assessment shall include but shall not be limited to-

- (a) a visit or visits to the home of the applicant in order to ascertain whether the conditions of the home are satisfactory;
- (b) ascertaining whether an applicant has good relationship with members of the community;
- (c) the financial stability of the applicant;
- (d) the ability of the applicant to meet the needs of children or of a specific child;
- (e) ascertaining the views of any children resident in the applicant's home;
- (f) any potential risk to a child from any other person living in the home other than the applicant and his children;
- (g) obtaining a medical report of the applicant;
- (h) ascertaining whether any person in the applicant's household is suffering from any mental illness likely to affect the child adversely; and
- (i) establishing from the applicant and from the officer in charge of a police station in the area of residence that neither the applicant nor any member of the household or closely connected to the family has been convicted of offences rendering it undesirable

for the child to associate with that person.

- (3) A person convicted as an adult of-
- (a) a sexual offence;
  - (b) an offence of violence;
  - (c) a drug offence; or
  - (d) an offence of dishonesty relating to property worth 300,000 shillings or more,
- shall not be a suitable fit person for the purposes of these regulations.

(4) Where an assessment reveals that an applicant was convicted of a sexual offence as a child, the head of the social welfare department shall only accept the applicant as a fit person where he satisfies himself that the applicant does not pose a risk to a child.

Obtaining references

**9.**-(1) In order to determine the suitability of the applicant, the applicant shall be required to provide three written references that address the good character and suitability of the applicant as a fit person from persons who have known the applicant for at least three years, one of whom shall be a close relative and one a neighbour.

(2) The social welfare officer shall obtain a reference from the ward executive officer, the village executive officer or the mtaa chairman of the area where the applicant resides where such person is not one of the three references provided by the applicant.

(3) Where there application is by a husband and wife, the social welfare officer may request additional references.

(4) The social welfare officer may, if he deems it necessary-

- (a) seek further references, including where appropriate, a written reference from the employer of the applicant;
- (b) meet with all or any of the referees to obtain further information or verify information provided.

Submitting assessment

**10.**-(1) The social welfare officer, shall complete and submit the assessment report, together with the application on Form No. 1, to the head of the social welfare department not later than sixty days after being instructed.

(2) The submitted assessment report shall include-

- (a) the information required under regulation 8;
- (b) details of the name, age, religion and employment of the applicant; and
- (c) the number and ages of other persons living in the applicant's household.

Decision on application

**11.**-(1) The head of the social welfare department shall consider the application, giving due weight to the assessment provided by the social welfare officer and may either-

- (a) approve the application;
- (b) reject the application and give reasons for the rejection; or
- (c) require further information from the applicant.

(2) The head of the social welfare department shall make a decision under subregulation (1) within ninety days after receipt of the application.

(3) A social welfare officer shall, within five days after receiving a decision from the head of the social welfare department under subregulation (1), inform the applicant.

(4) Where an application is approved, the head of the social welfare department shall cause the applicant's name to be registered as a fit person in accordance with regulation 9.

Fit persons register

**12.**-(1) The head of the social welfare department shall establish and maintain a register of fit persons approved under regulation 11 as set out in the Fourth Schedule.

(2) Every fit person shall be given a serial number which shall be used in the register and in all documents related to a child placed with him.

(3) Any person who is registered as a fit person shall, where he or she no longer intends to act as a fit person, inform the head of the social welfare department and the same shall be recorded in the register.

(4) Where a person referred to under at subregulation (3) wants to become a fit person again, that person shall make an application just like any other applicant but will maintain the same serial number given pursuant to subregulation (2).

(5) Where a child is removed from the care of a fit person under regulation 22, the register shall be updated to show that the child is no longer resident with the fit person together

with reasons for termination of the placement.

(6) The register shall also contain a list of persons who are no longer approved to be fit persons and the reasons thereof.

When child may be placed with fit person

**13.**-(1) A child may be placed with a fit person if he is in the care of a local government authority or is the subject of a place of safety.

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(2) In accordance with Regulations 59 of the Child Protection Regulations any reference to a child who is in the care of a local government authority is a reference to a child who-

- (a) is in their care under an interim or full court order;
- (b) has been taken into voluntary care in accordance with regulation 42 of the Child Protection Regulations;
- (c) is provided with assistance and accommodation by the social welfare department in the exercise of any of its powers under the Act and regulation 38 of the Child Protection Regulations as a result of being lost, abandoned, seeking refuge or without parental care for any reason;
- (d) falls under regulation 39 of the Child Protection Regulations in that, the child-
  - (i) has been apprehended or detained by the police;
  - (ii) has been released from a retention home or prison due to dismissal of the criminal charges against him or her;
  - (iii) is acquitted of an offence by the court; is convicted of an offence; or
  - (iv) is given a non-custodial sentence,

and the child is, for whatever reason, without parental care, the parent cannot be found or are unwilling to care for the child; or

- (e) falls under section 104 of the Act and regulation 40 of the Child Protection Regulations in that the child has been bailed to the care of the Commissioner for Social Welfare as the child has nobody to care for him, or has no accommodation or has nobody to give a surety or recognisance.

(3) A child shall not be placed with a fit person unless-



- (a) the fit person is registered in accordance with regulation 11(4);
- (b) in accordance with regulation 62(3)(b) to (f) of the Child Protection Regulations the social welfare officer has ensured, that-
  - (i) the placement allows the child to live near his former home;
  - (ii) the placement does not disrupt the child's education or training;
  - (iii) the child is not separated from his siblings;
  - (iv) if the child is disabled, the placement is suitable to that child's particular needs;
- (c) the fit person has consented to the placement and has filled and signed Form No. 2 set out in Second Schedule;
- (d) the child, if of sufficient age and maturity, has been asked his views concerning the proposed placement and his views and wishes have been given due weight in the decision making process.

Identifying suitable placement

**14.-** (1) The head of social welfare department shall be responsible for identifying a suitable placement for a child who falls under regulation 13(1).

(2) When determining whether a particular placement is appropriate for the child, the best interest of the child to be placed and of any other child in the household where the child is to be placed shall be considered.

(3) In reaching a decision on the best interest of the child to be placed, the risk presented by that child to other children in the household shall be taken into account.

Information supplied to fit person

**15.-**(1) Except in the case of an emergency placement, the head of social welfare department shall ensure that the identified fit person is provided with the following information before he give consent to the placement under regulations 13(3)(c)-

- (a) the reason for the fit person placement;
- (b) information on the child's background, health, educational and psychosocial history and needs;
- (c) the support that the social welfare department will

provide to the child and the fit person in order to support the placement; and

(d) the level of contact, if any, that the child shall have with his or her biological family or guardians.

(2) The head of social welfare department shall not withhold information on the basis that it might disadvantage the child or cause the fit person to see the child in an unfavourable light.

(3) In the case of an emergency placement, information under subregulation (1) shall be supplied within 3 working days;

Duties of fit person

**16.** A fit person shall be required to-

- (a) co-operate with the social welfare department to develop or implement the child's care plan;
- (b) promote contact between the child and his or her biological family members and such other persons as may be specified in the care plan;
- (c) permit a social welfare officer to visit the home and to have access to the child for purposes of monitoring and reviewing the placement or for any other matter relevant to the placement;
- (d) ensure that the child attends primary education and encourage and assist the child to attend secondary or further education and training according to his ability and opportunities available;
- (e) respect the views of the child and generally promote his or her well-being, best interests and physical, emotional and social development;
- (f) guide the behaviour of the child in a humane manner by promoting positive discipline and not imposing corporal punishment or any form of physical violence or punishment or use of humiliating or degrading forms of discipline;
- (g) ensure provision of medical care and attention for a child and follow recommendations as may be prescribed by medical officers;
- (h) ensure that where a child is from a different cultural, linguistic or religious background, the child is assisted to maintain links with his or her

culture, language or religion; and

- (i) ensure that a child is treated in a manner substantially similar to other children living in the same household, except where the special needs of that child or any other child in the household demand otherwise.

Rights of fit person

**17.-(1)** A fit person shall have the right to-

- (a) make day-to-day decisions necessary for the care, upbringing and development of the child in his care;
- (b) reasonable privacy of home life, and not to be subjected to threats, harassment and undue intrusions upon the exercise of his or her responsibilities by biological parents or family members of the child placed with them;
- (c) be informed by a social welfare officer of any fact or occurrence that may substantially affect the placement of the child in his or her care;
- (d) on-going advice and support from a social welfare officer in order to ensure the effectiveness of the placement; and
- (e) decide whether he or she should or should not continue to provide care to a child where he or she feels that it is in the best interest of the child, himself or herself or other people in his household.

Rights of child placed with fit person

**18.** A child placed with a fit person has the right to-

- (a) be treated in the same manner as any other child in the household and to have his day to day needs met by the fit person;
- (b) contact his or her biological family members or other persons as set out in the care plan;
- (c) access primary education and to attend school on a regular basis after attaining the age to attend school and shall, as far as possible, have the right to access further education or vocational training;
- (d) an opinion and respect for his or her views in all decisions affecting him or her; and
- (e) communicate freely with social welfare officers and

any other relevant authorities about his or her placement, care and treatment.

Training and support for fit person

**19.** (1) The head of the social welfare department shall have the power to require a fit person to-

- (a) undergo compulsory training before placement of a child and may set the required training; and
- (b) attend training on a regular basis and not less than twice a year.

(2) Where a husband and wife have applied to be fit persons, both of them shall attend the training.

(3) The head of the social welfare department shall also have the power to require other members of the fit person's household to attend training as he deems necessary.

(4) The head of the social welfare department shall-

- (a) provide support to a fit person to ensure the stability of the placement;
- (b) make arrangement for support and counselling to children in a fit person's placement as detailed in the care plan or as needed.

(5) A fit person shall be encouraged to attend reviews of the care plan under regulation 66 of the Child Protection Regulations and to provide information on the progress of the child in the placement.

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Medical care

**20.**(1) Upon placement of a child with a fit person, a social welfare officer shall provide the fit person with the child's immunisation record.

(2) A fit person shall ensure that the child receives all necessary immunisations in accordance with the Ministry of Health's schedule of immunisations, and shall ensure that a social welfare officer is informed of any immunisations that have been given.

(3) Where a child is under the age of five years, a fit person shall cause the child to-

- (a) be medically examined by a medical officer within one month after the date of placement and thereafter once every six months, and a social welfare officer shall, so far as possible, assist the fit person in carrying out this requirement; and

(b) attend clinic every month.

(4) Where a child placed is above the age of five years, a fit person shall cause the child to be medically examined by a medical officer once in every six months.

(5) A medical officer who examines or attends to a child pursuant to subregulation (2), (3) or (4) shall report in writing on the physical, mental and emotional condition of the child as observed by him.

(6) Where a child is seriously unwell, a fit person shall ensure that the child is medically examined and receives necessary treatment and, in the case the child is diagnosed with a serious illness, he or she shall communicate this information to a social welfare officer within twenty four hours of the diagnosis.

Supervision  
visits during  
placement  
G.N. No.  
11 of 2015

**21.**-(1) In accordance with regulation 63 of the Child Protection Regulations, a social welfare officer shall visit a child in a fit person placement-

(a) not later than 7 days after the child has been placed;

(b) not later than 28 days after the first visit;

(c) following the second visit, not less than once every three months for the duration of the placement.

(2) In addition to the visits specified in subregulation (1), a social welfare officer shall visit the child whenever reasonably requested to do so by the child or the fit person.

(3) In accordance with regulation 64 of the Child Protection Regulations, a social welfare officer shall speak to the child in private unless it is inappropriate to do so or the child, being of sufficient age and maturity, refuses to do so.

(4) A social welfare officer shall make a written record of the visit, including the appropriateness of the placement and the child's views and wishes, and shall keep the record in the child's file.

(5) In accordance with regulation 65 of the Child Protection Regulations, where as a result of the visit to the placement the social welfare officer has reasonable cause to believe that-

(a) the child's welfare is not adequately safeguarded and promoted by the placement, he shall report the matter to the head of the social welfare department within forty eight hours and a review shall be

- undertaken of the child's placement; or
- (b) the child is suffering or is at risk of suffering harm, he may remove the child from the placement pending review of the placement.

(6) In accordance with regulation 65 of the Child Protection Regulations, where a child's placement is reviewed or terminated, an initial investigation shall be undertaken on any other child living at the same placement.

Termination of placement

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**22.** (1) A fit person placement may be terminated in the following circumstances-

- (a) where a child has been removed from the placement pursuant to regulation 65(2) of the Child Protection Regulations or regulation 21(5)(b) of these Regulations;
- (b) where the child is reunited with his or her biological parents or family;
- (c) where the child no longer requires accommodation and assistance under section 94(5) of the Act;
- (d) where a child was placed under a care order under section 18 of the Act and that order has been discharged;
- (e) where a child is under a place of safety and the place of safety ceases; or
- (f) when the head of the social welfare department determines that the placement no longer meets the needs of the child.

(2) A child shall not be removed from a fit person placement until a social welfare officer makes the decision that the placement should be terminated, unless such removal is necessary to protect the child from suffering significant harm.

(3) Where the head of the social welfare department is considering termination of placement under subregulation 1(f), the views of the child, where he or she is able to express his or her opinion, shall be given due weight.

(4) Where a child is removed from a fit person placement under subregulation (1)(a) and a subsequent review confirms that the child's welfare was not adequately safeguarded or promoted, the name of the fit person shall be removed from the fit person's register.

(5) If the placement is terminated under subregulation (1)(c), (d), (e) or (f), a district social welfare officer shall, within twelve days before termination, notify the fit person of the decision to terminate the placement in writing, and shall notify the child orally in a manner which he or she can understand, at least ten days prior to the placement being terminated.

(6) The Commissioner for Social Welfare may develop guidance procedures and forms to govern the termination of placements.

Appeal against  
decision to  
terminate  
placement

**23.**-(1) Where the head of the social welfare department makes a decision to terminate the placement under regulation 21(1)(f), a fit person may lodge an appeal with the Commissioner for Social Welfare within seven days of the termination and shall notify the head of social welfare of the appeal being lodged.

(2) In case of an appeal, the head of the social welfare department shall immediately submit a copy of the child's file, which shall include the reasons for the decision to terminate the placement, to the Commissioner for Social Welfare for review.

(3) The Commissioner for Social Welfare shall make decision on whether the termination of placement was appropriate and communicate the decision to the fit person and the head of the social welfare department within ten days after the appeal was lodged.

Right of appeal  
against removal  
from register

**24.**-(1) A fit person shall have the right to appeal to the Commissioner for Social Welfare against the removal of his or her name from the register.

(2) Where the Commissioner for Social Welfare finds that a child placed with a fit person has suffered or was at risk of suffering harm, whether as a result of the fit person's act or negligent failure to protect the child, he shall uphold the decision to remove the name of the fit person from the register and there shall be no further appeal.

Termination of  
care order on  
attaining age of  
18

**25.**-(1) In accordance with section 18(4) of the Act, a child shall cease to be in the care of the local government authority on his eighteenth birthday and any placement shall terminate on that day save where a child-

- (a) remains in full time education or vocational training, the child shall continue to be treated as if he or she was in the care of the local government authority and the placement may be extended until the child attains the age of twenty one; or
- (b) has been charged with a criminal offence and the criminal proceedings have not been concluded by his or her eighteenth birthday, the placement shall continue until a final judgment is reached.

Change in  
circumstances

**26.**-(1) A child placed with a fit person shall not be taken out of the country or travel outside the country without the written consent of the Commissioner for Social Welfare.

(2) A fit person must notify the head of social welfare department of any change of address within the district of residence within forty eight hours.

(3) A fit person must notify the head of social welfare within twenty one days of-

- (a) any material change in his or her living circumstances or his or her family's living circumstances, which are likely to have a material effect on the placement ;and
- (b) change in marital status.

(4) In the case that the marital status of a fit person changes, the head of social welfare department shall cause an assessment to be undertaken-

- (a) as to whether the child's continued placement is in the child's best interest; and
- (b) of any new spouse or person living in the house to ensure that such person does not pose risk to the child.

Change of  
residence to  
another district

**27.**-(1) Upon receiving notice that a fit person intends to move out of the district of residence, and the fit person requests that the placement of a child continue, the head of the social welfare department shall within thirty days undertake an assessment to decide whether the placement should continue.

(2) In making the assessment, the head of the social welfare department shall listen to the views of a child, where the child is able to express his or her views and the child's views



shall be given due weight.

(3) Where it is determined that it is in the best interest of a child to stay with the fit person, the head of the social welfare department in the previous district of residence shall notify the head of social welfare department in the new district and request that the fit person's name be entered in the register in that particular district and continue supervising the placement.

Missing child

**28.**-(1) Where a child goes missing from a placement with a fit person, the fit person shall inform the head of the social welfare department and the police not later than four hours after it is realised that the child is missing.

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(2) Pursuant to regulation 66(9) of the Child Protection Regulations, where a child who is missing from his placement is found by the police or a social welfare officer, he or she shall not be returned to the placement until he or she has been interviewed by a social welfare officer as to the reasons why he or she went missing or ran away.

(3) Where, after the interview under subregulation (2), a child makes allegations of abuse, neglect or exploitation relating to his placement, a review shall be undertaken.

Death of child  
in fit person  
placement

**29.** (1) If a child placed with a fit person dies, the fit person shall immediately notify the head of the social welfare department.

(2) After the notification under subregulation (1), the head of the social welfare department shall obtain a death certificate and, where necessary, a post-mortem report, which shall be submitted to the Commissioner for Social Welfare.

(3) Where the child's parents or guardians are known, the head of the social welfare department shall inform them of the child's death within twenty four hours after being notified of the death.

(4) The local government authority shall bear the costs for the funeral of the child.

Support to fit  
persons  
G.N. No.  
11 of 2015

**30.**-(1) Pursuant to regulation 59(2) of the Child Protection Regulations, a local government authority shall ensure that a child in its care or under a place of safety is

provided with adequate care and accommodation and a fit person is provided with necessary support to maintain a child.

(2) Such support may include but shall not be limited to-

(a) material or financial support that the local government authority may be able to provide to the fit person or family to contribute to the upkeep of the child including the provision of-

- (i) food;
- (ii) clothing;
- (iii) utility and energy costs;
- (iv) toiletries and cleaning products;
- (v) costs associated with general wear and tear and repair of furnishings, bedding and towels;
- (vi) health costs;
- (vii) school fees;
- (viii) pre-school care;
- (ix) everyday travel costs, including the costs of travel to school, activities and contact visits;

(b) waiver of fees or any mandatory contributions that the fit person or family has to make in relation to the child; and

(c) supporting the fit person or family to ensure that the child accesses free or subsidised services, including services related to health and education.

(3) The local government authority shall ensure adequate accommodation and provide equipment to a fit person to be used for the benefit of a child.

Offences

**31.** Any person who contravenes a provision of these regulations commits an offence and shall on conviction be liable to a fine of not less than one million shillings or not more than three million shillings or to imprisonment for a term not exceeding six months or to both.

*Law of The Child (Fit Persons)*

*GN No. 740 (contd)*

FIRST SCHEDULE

*(Made under regulation 6(2))*

F.P. Form No. 1(a)

APPLICATION TO BECOME FIT PESON AS AN INDIVIDUAL

1. Name of applicant \_\_\_\_\_
2. Date of Birth \_\_\_\_\_
3. Sex Female: \_\_\_\_\_ Male : \_\_\_\_\_
4. Residence: District \_\_\_\_\_; Ward \_\_\_\_\_  
Village/Street: \_\_\_\_\_
5. Tribe \_\_\_\_\_
6. Marital Status: Married-----Divorced/Separeted----- Widow/Widower-----
7. Employment status : Employed( ) Unemployed ( ), Business ( ) : Mention type of business or working Organization -----
8. Names, sex and age of children, if any:
  - (i) \_\_\_\_\_
  - (ii) \_\_\_\_\_
  - (iii) \_\_\_\_\_
  - (iv) \_\_\_\_\_
  - (v) \_\_\_\_\_
9. Reason for applying to become a fit person \_\_\_\_\_  
\_\_\_\_\_
10. How many children will you be able to care for ?
11. Preference of applicant regarding a child/ children
  - i. Age -----
  - ii. Sex -----

*Law of The Child (Fit Persons)*

*GN No. 740 (contd)*

Reason \_\_\_\_\_

12. Your experience in providing care to children \_\_\_\_\_

13. Are your relatives and children informed about your decision to be a fit person? \_\_\_\_\_

14. Condition of applicant's household:

i. House (your own/ rent) \_\_\_\_\_

ii. Number of bedrooms \_\_\_\_\_

iii. Number of beds \_\_\_\_\_

iv. Beddings \_\_\_\_\_

v. Utensils \_\_\_\_\_

vi. Other \_\_\_\_\_

Signature of the applicant \_\_\_\_\_

F.P. Form No. 1(b)

APPLICATION TO BECOME FIT PERSON AS HUSBAND AND WIFE

1. Name of applicants

i. Husband \_\_\_\_\_ Age -----

ii. Wife----- Age -----

2. Residence: District \_\_\_\_\_ Ward \_\_\_\_\_

Village/Street: \_\_\_\_\_

3. Tribe \_\_\_\_\_

4. Employment status : Employed( ) Unemployed ( ), Business ( ) : Mention type of business or working Organization if any \_\_\_\_\_

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5. Names, sex and age of children, if any
- (i) \_\_\_\_\_
  - (ii) \_\_\_\_\_
  - (iii) \_\_\_\_\_
  - (iv) \_\_\_\_\_
  - (v) \_\_\_\_\_
6. Reason for applying to be become a fit person \_\_\_\_\_  
\_\_\_\_\_
7. How many children will you be able to care for? \_\_\_\_\_
8. Preference of the applicant's regarding a child /children
- i. Age -----
  - ii. Sex -----
- Reason \_\_\_\_\_
9. Your experience in providing care to children \_\_\_\_\_
10. Are your relatives and children informed about your decision to be a fit person? \_\_\_\_\_
11. Condition of applicant's household:
- vii. House (your own/ rent) \_\_\_\_\_
  - viii. Number of bedrooms \_\_\_\_\_
  - ix. Number of beds \_\_\_\_\_
  - x. Beddings -----
  - xi. Utensils \_\_\_\_\_
  - xii. Other \_\_\_\_\_

Signature of the applicant (Husband) \_\_\_\_\_

Signature of the applicant (Wife) \_\_\_\_\_

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SCHEDULE

(Made under regulation 13(3)(c))

F.P. Form No. 2

CONSENT OF FIT PERSON

I/We: .....(Name of Fit Person 1)

and: ..... (Name of Fit Person 2)

of: .....

.....  
(full address, including Box No)

do hereby accept into my/our home a child: .....

.....  
(name of the Child)

Age: .....

Sex: .....

And I/we do further agree:

1. *To provide temporary care and affection to this child that I/we would give to a child of my/our own family until such time that a reunification of the foster child is arranged.*
2. *To assume full responsibility for the care and maintenance of this child as I/we would to a child of my/our own family.*
3. *To provide all necessary medical care and attention for this child and to follow such recommendations as may be prescribed by the medical officer.*
4. *To provide for education and training of this child according to his/her ability and to the opportunities available to him/her in the country.*
5. *To accept the guidance and supervision of the social welfare officer in my/ our care and planning for this child, and to cooperate with social welfare officers who may be assigned to work with me/us.*
6. *To notify the social welfare officer of any special problems that might arise with regard to this child, and of any change in my/our own circumstances that may affect the care and security of this child.*
7. *To advise the social welfare officer of any change of address so that they might know at all times the whereabouts of this child for such information as may be required.*

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Fit Person (1)

Fit Person (2)

Signature: .....

Signature: .....

Name: .....

Name: .....

Date: .....

Date: .....

Witnessed by:

Witnessed by:

Signature .....

Signature .....

Name: .....

Name .....

Position: .....

Position: .....

Date: .....

Date: .....

THIRD SCHEDULE

*(Made under regulation 8)*

CHECKLIST OF QUESTIONS FOR FIT PERSONS

Notes:

- The list of proposed questions below should not be used as a questionnaire but should be adapted and the most relevant of them used to stimulate the discussion between the applicants and the assessors
- Where the applicants are a couple, all interviews should involve the husband and the wife and the interviewer should ensure responses to all questions are elicited from both parties
- Interviews should not take place until the applicants have had the opportunity to attend an orientation meeting where they will learn about the expectations and the responsibilities of fit persons
- It is essential that the applicants complete an application form that gives information about their current circumstances, family members, means of supporting a child, employment, and the reasons for wishing to be fit persons
- The initial questions should pick up any issues from the application form as a means of allowing the applicants to 'open up' to the interviewer
- The questions below may be asked in any order

*Law of The Child (Fit Persons)*

*GN No. 740 (contd)*

1	Why are you interested in becoming a fit person?
2	What do you know about the role of a 'fit person'? (This is an opportunity to clarify the role)
3	What experience do you have bringing up children? (Refer to the age of the children highlighted in the application form)
4	What are you able to offer a child coming into your home?
5	Have you discussed being a fit person with your children?
6	What do the members of your family think about the idea of taking someone else's child into your home?
7	What do you think makes a good parent?
8	What behaviour would you expect from a child who has not had good parenting, discipline or love from his/her family?
9	Would you expect different behaviour from a child in conflict with the law? (This will allow you to inform the applicants about the background of most petty offenders)
10	With what issues would you look for assistance from a social welfare office and what would you expect the Office to do?
11	How would you handle the child if he/she stole something from your home?
12	You cannot hit a child in your care. What measures would you use to discipline the child you are caring for?
13	How would you handle behaviours like, aggression, anger, depression or distress in a child?
14	Are you prepared to take a child in conflict with the law?
15	Would you feel more comfortable taking boys or girls? If so, why?
16	Would you feel more comfortable taking care of a particular age group? If so, why?
17	Would you have any worries about caring for a child for a few days/weeks/months?
18	How involved will the other members of your family be in the care of the child living with you?
19	How would you integrate the child into your family?
20	What are your feelings about linking with the police/social welfare/teachers/project staff? (applicants need to know something about the community rehabilitation project and its role to support fit persons looking after children attending the project)
21	Is there any reason you would not be able to participate in meetings to create or review a care plan for the child in your care?
22	What do you think would be the worst thing to happen when taking in someone else's child?
23	What do you think you and/or your family would gain from taking in a child?
24	How do you think you would cope with saying 'goodbye' to a child you have been looking after for several weeks/months/ years?
25	What if the child wanted to stay with you for longer than agreed when the placement started?
26	What do you think would make you give up on a child in your care?
27	Are you prepared to take in a child from the area in which you currently live?
28	What support are you expecting from the social welfare office to assist you to look after a child in need of care?
29	You may be asked to help (emotionally support) the child to reintegrate into his biological or extended family. Do you foresee any problems doing this? (This gives you the opportunity to talk about the difficulties a child might have returning home.)
30	Are you comfortable with the expectation that you will give regular feedback to the social welfare office and project staff, where appropriate?
31	Are you willing to allow a social welfare officer/project worker to visit you and the child in your home?
32	What questions do you have that have not been answered?



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FOURTH SCHEDULE

*(Made under regulation 12(1))*

F.P. Form No. 3

FIT PERSON REGISTER

S /N	Fit Person Name			Date of Birth	Se x	Mari tal Statu s	Nati onal ity	Re ligi on	Registrati on Details			
	Firs t	Midd le	Las t						Di stri ct	Dat e Reg istr atio n	Date of Term inati on	Reason of terminat ion

Dodoma,  
23<sup>rd</sup> September, 2019

UMMY A. MWALIMU  
*Minister for Health, Community Development, Gender,  
Elderly and Children*