



# Small Business, Enterprise and Employment Act 2015

## 2015 CHAPTER 26

### PART 5

#### CHILDCARE AND SCHOOLS

#### **74 Funding for free of charge early years provision**

- (1) In section 13A of the Childcare Act 2006 (supply of information: free of charge early years provision)—
  - (a) in subsection (3), after “provision” insert “ or for funding related to free of charge early years provision ”;
  - (b) in subsection (6), after “provision” insert “ or for funding related to free of charge early years provision ”.
- (2) In section 13B of that Act (unauthorised disclosure of information received under section 13A), in subsection (2)(b), after “provision” insert “ or for funding related to free of charge early years provision ”.

#### **75 Exemption from requirement to register as early years provider**

- (1) In section 34(2) of the Childcare Act 2006 (requirement to register: other early years providers) for “three” substitute “ two ”.
- (2) In section 40(1)(b) of that Act (duty to implement Early Years Foundation Stage) for “3” substitute “ 2 ”.
- (3) In section 63(3) of that Act (applications for registration on the general register)—
  - (a) in the words before paragraph (a), for “three” substitute “ two ”;
  - (b) in paragraph (c) (as it has effect prior to the coming into force of paragraph 35(4) of Schedule 1 to the Education and Skills Act 2008) for “three” substitute “ two ”.

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*Changes to legislation: There are currently no known outstanding effects for the Small Business, Enterprise and Employment Act 2015, PART 5. (See end of Document for details)*

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- (4) In section 99(1)(b) of that Act (provision of information about young children: England) for “3” substitute “ 2 ”.
- (5) In section 94(5)(b) of the Education and Skills Act 2008 (independent educational institution standards) for “three” substitute “ two ”.

## **76 Childminding other than on domestic premises**

- (1) Section 96 of the Childcare Act 2006 (meaning of early years and later years provision etc.) is amended in accordance with subsections (2) to (5).
- (2) In subsection (4) (definition of “early years childminding”)—
  - (a) omit “on domestic premises”, and
  - (b) after “reward” insert “ , where at least half of the provision is on domestic premises ”.
- (3) In subsection (5) (exception to subsection (4))—
  - (a) for “on domestic premises for reward” substitute “ which would otherwise fall within subsection (4) ”, and
  - (b) omit “on the premises”.
- (4) In subsection (8) (definition of “later years childminding”)—
  - (a) omit “on domestic premises”, and
  - (b) after “reward” insert “ , where at least half of the provision is on domestic premises ”.
- (5) In subsection (9) (exception to subsection (8))—
  - (a) for “on domestic premises for reward” substitute “ which would otherwise fall within subsection (8) ”, and
  - (b) omit “on the premises”.
- (6) In section 34 of that Act (requirement to register: other early years providers)—
  - (a) after subsection (1) insert—
    - “(1ZA) Subsection (1) does not apply in relation to early years provision—
      - (a) if it is early years childminding in respect of which the person providing it is required to be registered under section 33(1), or
      - (b) if it would be early years childminding but for section 96(5) and in respect of which the person providing it is required to be registered under subsection (1A).”, and
    - (b) in subsection (1A) omit “on domestic premises”.
- (7) In section 53 of that Act (requirement to register: other later years providers)—
  - (a) after subsection (1) insert—
    - “(1ZA) Subsection (1) does not apply in relation to later years provision—
      - (a) if it is later years childminding in respect of which the person providing it is required to be registered under section 52(1), or

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- (b) if it would be later years childminding but for section 96(9) and in respect of which the person providing it is required to be registered under subsection (1A).”, and
- (b) in subsection (1A) omit “on domestic premises”.

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**Commencement Information**

**I1** S. 76 in force at 1.1.2016 by S.I. 2015/1329, reg. 6(a)

**77 Registration of childcare: premises**

Schedule 2 makes amendments for the purpose of removing the requirement for certain childcare providers to be registered under the Childcare Act 2006 in respect of each premises from which they operate.

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**Commencement Information**

**I2** S. 77 in force at 15.6.2015 for specified purposes by S.I. 2015/1329, reg. 4

**I3** S. 77 in force at 1.1.2016 for specified purposes by S.I. 2015/1329, reg. 6(b)

**Changes to legislation:**

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