

*These notes refer to the Childcare Act 2006 (c.21)
which received Royal Assent on 11 July 2006*

CHILDCARE ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 3 – Regulation of Provision of Childcare in England

Chapter 2: Regulation of Early Years Provision

Section 33: Requirement to register: early years childminders

81. *Section 33* prohibits a person from providing early years childminding unless he is registered in the early years register. Early years childminding is early years provision provided on domestic premises for reward where there are no more than three people providing the care or assisting with its provision (see section 96(4) and (5)).
82. *Subsection (2)* allows the Secretary of State to exempt certain persons from the requirement to be registered. This power may be used to exempt, for example, nannies and babysitters.
83. *Subsection (4)* sets out what happens where a person who should be registered as an early years childminder under subsection (1) fails to register. In such cases the Chief Inspector may serve an enforcement notice on that person and that person may then be prosecuted if they continue to childmind without being registered (see *subsection (7)*). The notice will stay in effect until revoked by the Chief Inspector.