



Childcare Payments Act 2014

2014 CHAPTER 28

Introductory

1 Entitlement to receive money towards costs of childcare

- (1) This Act contains provision for HMRC to make payments (“top-up payments”) to be used towards the costs of qualifying childcare.

For the meaning of “qualifying childcare”, see section 2.

- (2) A person is entitled to receive a top-up payment for an entitlement period in respect of a child if—
- (a) the person is an eligible person for the entitlement period (see section 3),
 - (b) the person has made a valid declaration of eligibility for the entitlement period (see section 4),
 - (c) the child is a qualifying child (see section 14),
 - (d) the person holds a childcare account in respect of the child (see section 15), and
 - (e) a qualifying payment is made into the childcare account during the entitlement period (see section 19).
- (3) HMRC must pay the top-up payment into the childcare account.
- (4) The amount of the top-up payment is 25% of the amount of the qualifying payment.
- (For provision limiting the amount of qualifying payments that may be made into a childcare account in an entitlement period, see section 19(4).)
- (5) Regulations may amend subsection (4) so as to substitute a different percentage for the percentage for the time being specified there.
- (6) Sections 17 to 25 contain provision about childcare accounts, including restrictions on the kinds of payments that may be made from childcare accounts.
- (7) Sections 26 to 29 contain provision about obtaining and sharing information.

Changes to legislation: There are currently no known outstanding effects for the Childcare Payments Act 2014, Cross Heading: Introductory. (See end of Document for details)

- (8) Sections 30 to 34 contain special rules about persons who are claiming tax credits or universal credit.
- (9) Sections 35 to 55 contain provision about penalties and other enforcement powers, including powers to recover top-up payments in certain circumstances.
- (10) Sections 56 to 61 contain provision about reviews and appeals.
- (11) Section 62 contains provision enabling HMRC in certain circumstances to compensate persons who have been deprived of the opportunity to receive top-up payments.
- (12) Sections 63 and 64 contain provision for the withdrawal of tax exemptions in respect of certain kinds of employer-provided childcare schemes.

Commencement Information

- I1** S. 1 partly in force at Royal Assent; s. 1 in force for specified purposes at Royal Assent, see s. 75(1)(c)
- I2** S. 1 in force at 14.11.2016 for the purposes of the trial by S.I. 2016/1083, reg. 2(a)
- I3** S. 1 in force at 21.4.2017 for specified purposes by S.I. 2017/578, reg. 2
- I4** S. 1 in force at 16.5.2017 so far as not already in force in respect of those recruited to participate in the trial by S.I. 2017/578, reg. 4
- I5** S. 1 in force at 14.7.2017 for specified purposes by S.I. 2017/750, reg. 2(1)(2)(a)
- I6** S. 1 in force at 24.11.2017 for specified purposes by S.I. 2017/1116, reg. 2
- I7** S. 1 in force at 15.1.2018 for specified purposes by S.I. 2018/27, reg. 2(1)(3)(4)
- I8** S. 1 in force at 14.2.2018 in so far as not already in force by S.I. 2018/27, reg. 2(2)(3)

2 Qualifying childcare

- (1) In this Act “childcare” means any form of care or supervised activity for a child that is not provided in the course of the child's compulsory education.
- (2) Childcare that is provided for a person is “qualifying childcare” for the purposes of this Act if—
 - (a) it is registered or approved childcare, and
 - (b) the main reason, or one of the main reasons, for incurring the costs of the childcare is—
 - (i) to enable the person to work, or
 - (ii) where the person has a partner, to enable both the person and the person's partner to work.
- (3) Regulations may—
 - (a) make provision about what is, or is not, to be regarded as registered or approved childcare for the purposes of this section;
 - (b) define what is meant by “work” for the purposes of this section;
 - (c) specify cases where the condition in subsection (2)(b) is to be treated as met;
 - (d) specify cases where that condition does not need to be met.
- (4) Regulations made under subsection (3)(a) may, in particular, provide that childcare provided outside the United Kingdom is registered or approved childcare if it is provided by a person approved by an organisation that is accredited by a person or body under an enactment.

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- (5) Subsection (2) is subject to any direction made under section 50 (which enables HMRC in certain circumstances to direct that childcare provided by a person is not qualifying childcare).

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Commencement Information

- I9** S. 2 partly in force at Royal Assent; s. 2 in force for specified purposes at Royal Assent, see s. 75(1)(c)
I10 S. 2 in force at 14.11.2016 for the purposes of the trial by S.I. 2016/1083, **reg. 2(a)**
I11 S. 2 in force at 21.4.2017 in so far as not already in force by S.I. 2017/578, **reg. 3(a)**

Changes to legislation:

There are currently no known outstanding effects for the Childcare Payments Act 2014, Cross
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