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STATUTORY INSTRUMENTS

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**2015 No. 1562**

**The Childcare (Miscellaneous Amendments) Regulations 2015**

**PART 1**

**Amendments**

**Amendments to the Childcare (Fees) Regulations 2008**

7.—(1) The Childcare (Fees) Regulations 2008(1) are amended as follows.

(2) In regulation 2 (interpretation) after the definition of “the 2006 Act” insert—

““additional premises application” means an application to the Chief Inspector for approval of the suitability of additional premises—

- (a) in the case of a person who is registered in the early years register, under regulation 8A of the Early Years Foundation Stage (Welfare Requirements) Regulations 2012;
- (b) in the case of a person who is registered in Part A of the general childcare register, under paragraph 13ZA of Schedule 3 to the Childcare (General Childcare Register) Regulations 2008; or
- (c) in the case of a person who is registered in Part B of the general childcare register, under paragraph 14A of Schedule 6 to the Childcare (General Childcare Register) Regulations 2008;

“approved premises” means premises that have been approved by the Chief Inspector as suitable for the provision of childcare at the time of registration or following an additional premises application;”.

(3) After regulation 2 (interpretation), insert—

**“Fees that do not apply to certain childcare providers in respect of non-domestic premises**

**2A.** The following regulations do not apply to early years provision or later years provision, on non-domestic premises, that would be childminding but for section 96(5) or (9) of the 2006 Act—

- (a) regulation 4 (application fee for the early years register: other early years providers);
- (b) regulation 6 (application fee for Part A of the general childcare register: other later years providers);
- (c) regulation 8 (application fee for Part B of the general childcare register: other childcare providers);
- (d) regulation 10 (annual fee for other early years providers registered in the early years register);

- (e) regulation 12 (annual fee for other later years providers registered in Part A of the general childcare register); and
  - (f) regulation 15 (annual fee for other childcare providers registered in Part B of the general childcare register).”.
- (4) In regulation 4 (application fee for the early years register: other early years providers)—
- (a) after “2006 Act”, insert “or an additional premises application”;
  - (b) after “£35”, insert “for each of the premises on which that amount of provision is to be provided”; and
  - (c) after “£220”, insert “for each of the premises on which that amount of provision is to be provided”.
- (5) In regulation 6 (application fee for Part A of the general childcare register: other later years providers)—
- (a) after “2006 Act”, insert “or an additional premises application”; and
  - (b) after “£114”, insert “for each of the premises on which the provision is to be provided”.
- (6) In regulation 8 (application fee for Part B of the general childcare register: other childcare providers)—
- (a) after “2006 Act”, insert “or an additional premises application”; and
  - (b) after “£114”, insert “for each of the premises on which the provision is to be provided”.
- (7) In regulation 10 (annual fee for other early years providers registered in the early years register)—
- (a) in paragraph (2), after “£35” insert “in respect of each of the approved premises on which that amount of provision is provided”;
  - (b) in paragraph (3), after “£220” insert “in respect of each of the approved premises on which that amount of provision is provided”;
  - (c) for paragraphs (5) and (6) substitute—
    - “(5) The prescribed time is the day in each year which is the anniversary of the date on which—
    - (a) with respect to premises approved at the time of registration—
      - (i) the early years provider; or
      - (ii) in the case of a domestic group provider, the person who is the nominated individual,
 was registered under section 79F(1) or (2) of the 1989 Act; or
    - (b) with respect to premises approved following an additional premises application, the additional premises application is or was approved.
  - (6) In all other cases, the prescribed time is the day in each year which is the anniversary of the date on which—
    - (a) with respect to premises approved at the time of registration, the early years provider was registered under section 37(2) of the 2006 Act; or
    - (b) with respect to premises approved following an additional premises application, the additional premises application is or was approved.”; and
- (d) in paragraph (7) for “2015” substitute “2017”.
- (8) In regulation 12 (annual fee for other later years providers registered in Part A of the general childcare register)—
- (a) in paragraph (1)—

- (i) for “Subject to regulation 13, a” substitute “A”; and
  - (ii) after “paragraph (4) or (5)” insert “(but see regulations 2A and 13 for certain exceptions)”;
  - (b) in paragraph (2), after “£114” insert “in respect of each of the approved premises”; and
  - (c) for paragraphs (4) and (5) substitute—
    - “(4) The prescribed time is the day in each year which is the anniversary of the date on which—
      - (a) with respect to premises approved at the time of registration—
        - (i) the later years provider; or
        - (ii) in the case of a domestic group provider, the person who is the nominated individual,  
was registered under section 79F(1) or (2) of the 1989 Act; or
      - (b) with respect to premises approved following an additional premises application, the additional premises application is or was approved.
    - (5) In all other cases, the prescribed time is the day in each year which is the anniversary of the date on which—
      - (a) with respect to premises approved at the time of registration, the later years provider was registered under section 56(2) of the 2006 Act; or
      - (b) with respect to premises approved following an additional premises application, the additional premises application is or was approved.”.
- (9) In regulation 15 (annual fee for other childcare providers registered in Part B of the general childcare register)—
  - (a) in paragraph (1)—
    - (i) for “Subject to regulation 16, a” substitute “A”; and
    - (ii) after “paragraph (4) or (5)” insert “(but see regulations 2A and 16 for certain exceptions)”;
  - (b) in paragraph (2), after “£114” insert “in respect of each of the approved premises”; and
  - (c) for paragraphs (4) and (5) substitute—
    - “(4) The prescribed time is the day in each year which is the anniversary of the date on which—
      - (a) with respect to premises approved at the time of registration—
        - (i) the early years provider or the later years provider; or
        - (ii) in the case of a domestic group provider, the person who is the nominated individual,  
was registered under section 79F(1) or (2) of the 1989 Act; or
      - (b) with respect to premises approved following an additional premises application, the additional premises application is or was approved.
    - (5) In all other cases, the prescribed time is the day in each year which is the anniversary of the date on which—
      - (a) with respect to premises approved at the time of registration, the early or later years provider was registered under section 64(2) of the 2006 Act; or
      - (b) with respect to premises approved following an additional premises application, the additional premises application is or was approved.”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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