

SCHEDULES

SCHEDULE 9

CHILD MINDING AND DAY CARE FOR YOUNG CHILDREN

Exemption of certain schools

- 3 (1) Section 71 does not apply in relation to any child looked after in any—
- (a) school maintained or assisted by a local education authority;
 - (b) school under the management of an education authority;
 - (c) school in respect of which payments are made by the Secretary of State under section 100 of the Education Act 1944;
 - (d) independent school;
 - (e) grant-aided school;
 - (f) grant maintained school;
 - (g) self-governing school;
 - (h) play centre maintained or assisted by a local education authority under section 53 of the Act of 1944, or by an education authority under section 6 of the Education (Scotland) Act 1980.
- (2) The exemption provided by sub-paragraph (1) only applies where the child concerned is being looked after in accordance with provision for day care made by—
- (a) the person carrying on the establishment in question as part of the establishment's activities; or
 - (b) a person employed to work at that establishment and authorised to make that provision as part of the establishment's activities.
- (3) In sub-paragraph (1)—
- “assisted” and “maintained” have the same meanings as in the Education Act 1944;
 - “grant maintained” has the same meaning as in section 52(3) of the Education Reform Act 1988; and “grant-aided school”, “self-governing school” and (in relation to Scotland) “independent school” have the same meaning as in the Education (Scotland) Act 1980.