



Childcare Act 2006

2006 CHAPTER 21

PART 3 **E+W**

REGULATION OF PROVISION OF CHILDCARE IN ENGLAND

CHAPTER 4 **E+W**

VOLUNTARY REGISTRATION

Process of voluntary registration

62 Applications for registration on the general register: childminders **E+W**

- (1) A person who provides or proposes to provide in England—
 - (a) later years childminding for a child who has attained the age of eight, or
 - (b) early years childminding or later years childminding for a child who has not attained that age but in respect of which the person is not required to be registered under Chapter 2 or 3,may make an application to the Chief Inspector for registration in Part B of the general childcare register as a childminder.
- (2) An application under subsection (1) must—
 - (a) give any prescribed information about prescribed matters,
 - (b) give any other information which the Chief Inspector reasonably requires the applicant to give, and
 - (c) be accompanied by any prescribed fee.
- (3) The Chief Inspector must grant an application under subsection (1) if—
 - (a) the applicant is not disqualified from registration by regulations under section 75, and

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- (b) it appears to the Chief Inspector that any requirements prescribed for the purposes of this subsection (“the prescribed requirements for registration”) are satisfied and are likely to continue to be satisfied.
- (4) The Chief Inspector must refuse any application under subsection (1) which subsection (3) does not require him to grant.
- (5) The prescribed requirements for registration may include requirements relating to—
 - (a) the applicant;
 - (b) the premises on which the childminding is being (or is to be) provided;
 - (c) the arrangements for childminding on those premises;
 - (d) any person who may be caring for children on those premises;
 - (e) any other person who may be on those premises.

Commencement Information

- I1** S. 62 in force at 20.12.2006 for specified purposes by [S.I. 2006/3360](#), **art. 2(d)**
- I2** S. 62(1)(a)(2)-(5) in force at 6.4.2007 in so far as not already in force by [S.I. 2007/1019](#), **art. 4** (with [art. 6](#), [Sch. para. 2](#))
- I3** S. 62(1)(b) in force at 1.9.2008 in so far as not already in force by [S.I. 2008/2261](#), **art. 2** (with [Schs. 1, 2](#))

63 Applications for registration on the general register: other childcare providers **E+W**

- (1) A person who provides or proposes to provide on premises in England—
 - (a) later years provision (other than later years childminding) for a child who has attained the age of eight, or
 - (b) early years provision or later years provision (other than early years or later years childminding) for a child who has not attained that age but in respect of which the person is not required to be registered under Chapter 2 or 3,
 may make an application to the Chief Inspector for registration in Part B of the general childcare register ^{F1}....
- (2) An application under subsection (1) must—
 - (a) give any prescribed information about prescribed matters;
 - (b) give any other information which the Chief Inspector reasonably requires the applicant to give;
 - (c) be accompanied by any prescribed fee.
- (3) An application under subsection (1) may not be made in respect of provision for a child who has attained the age of ^{F2}two] if—
 - (a) the provision is made at any of the following ^{F3}institutions] as part of the ^{F3}institution's] activities—
 - (i) a maintained school,
 - (ii) a school ^{F4}approved] under section 342 of the Education Act 1996 (c. 56) (approval of non-maintained special schools), or
 - (iii) ^{F5}an independent educational institution][^{F6}or an alternative provision Academy that is not an independent school],

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- (b) the provision is made by the proprietor of the [F7 institution] or a person employed to work at the [F7 institution], and
- [F8](c) where the provision is made at a school (including a school that is an independent educational institution)—
 - (i) the child is a registered pupil at the school, or
 - (ii) if the provision is made for more than one child, at least one of the children is a registered pupil at the school.]
- (4) The Chief Inspector must grant an application under subsection (1) if—
 - (a) the applicant is not disqualified from registration by regulations under section 75, and
 - (b) it appears to the Chief Inspector that any requirements prescribed for the purposes of this subsection (“the prescribed requirements for registration”) are satisfied and are likely to continue to be satisfied.
- (5) The Chief Inspector must refuse any application under subsection (1) which subsection (4) does not require him to grant.
- (6) The prescribed requirements for registration may include requirements relating to—
 - (a) the applicant;
 - (b) the premises on which the childcare is being (or is to be) provided;
 - (c) the arrangements for childcare on those premises;
 - (d) any person who may be caring for children on those premises;
 - (e) any other person who may be on those premises.

Textual Amendments

- F1** Words in s. 63(1) omitted (1.1.2016) by virtue of Small Business, Enterprise and Employment Act 2015 (c. 26), s. 164(1), **Sch. 2 para. 12**; S.I. 2015/1329, reg. 6(b)
- F2** Word in s. 63(3) substituted (26.5.2015) by Small Business, Enterprise and Employment Act 2015 (c. 26), **ss. 75(3)(a), 164(3)(e)**
- F3** Word in s. 63(3)(a) substituted (5.1.2015) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 35(2)(a)**; S.I. 2014/3364, art. 2(z)
- F4** Word in s. 63(3)(a)(ii) substituted (5.1.2015) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 35(2)(b)**; S.I. 2014/3364, art. 2(z)
- F5** Words in s. 63(3)(a)(iii) substituted (5.1.2015) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 35(2)(c)**; S.I. 2014/3364, art. 2(z)
- F6** Words in s. 63(3)(a)(iii) inserted (1.4.2012) by The Alternative Provision Academies (Consequential Amendments to Acts) (England) Order 2012 (S.I. 2012/976), art. 1, **Sch. para. 20** (with art. 3)
- F7** Word in s. 63(3)(b) substituted (5.1.2015) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 35(3)**; S.I. 2014/3364, art. 2(z)
- F8** S. 63(3)(c) substituted (5.1.2015) by Education and Skills Act 2008 (c. 25), s. 173(4), **Sch. 1 para. 35(4)**; S.I. 2014/3364, art. 2(z)

Commencement Information

- I4** S. 63 in force at 20.12.2006 for specified purposes by S.I. 2006/3360, **art. 2(d)**
- I5** S. 63(1)(a)(2)-(6) in force at 6.4.2007 in so far as not already in force by S.I. 2007/1019, **art. 4** (with art. 6, **Sch. para. 3**)
- I6** S. 63(1)(b) in force at 1.9.2008 in so far as not already in force by S.I. 2008/2261, **art. 2** (with **Schs. 1, 2**)

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64 Entry on the register and certificates **E+W**

- (1) If an application under section 62(1) is granted, the Chief Inspector must—
 - (a) register the applicant in Part B of the general childcare register as a childminder, and
 - (b) give the applicant a certificate of registration stating that he is so registered.
- (2) If an application under section 63(1) is granted, the Chief Inspector must—
 - (a) register the applicant in Part B of the general childcare register as a provider of childcare other than a childminder^{F9} ..., and
 - (b) give the applicant a certificate of registration stating that he is so registered.
- (3) A certificate of registration given to the applicant in pursuance of subsection (1) or (2) must contain prescribed information about prescribed matters.
- (4) If there is a change of circumstances which requires the amendment of a certificate of registration, the Chief Inspector must give the registered person an amended certificate.
- (5) If the Chief Inspector is satisfied that a certificate of registration has been lost or destroyed, the Chief Inspector must give the registered person a copy, on payment by the provider of any prescribed fee.

Textual Amendments

F9 Words in s. 64(2) omitted (1.1.2016) by virtue of [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), s. 164(1), [Sch. 2 para. 13](#); S.I. 2015/1329, reg. 6(b)

Commencement Information

I7 S. 64 in force at 20.12.2006 for specified purposes by [S.I. 2006/3360](#), [art. 2\(d\)](#)

I8 S. 64 in force at 6.4.2007 in so far as not already in force by [S.I. 2007/1019](#), [art. 4](#)

65 Special procedure for persons already registered [^{F10}in a childcare register] **E+W**

- (1) If a person who is registered as a childminder in the early years register or in Part A of the general childcare register gives notice to the Chief Inspector that he wishes to be registered in Part B of the general childcare register, the Chief Inspector must—
 - (a) register the person in Part B of the general childcare register as a childminder, and
 - (b) give the applicant a certificate of registration stating that he is so registered.
- (2) If a person who is registered (otherwise than as a childminder) in the early years register or in Part A of the general childcare register^{F11}... gives notice to the Chief Inspector that he wishes to be registered in Part B of the general childcare register^{F11}..., the Chief Inspector must—
 - (a) register the person in Part B of the general childcare register as a provider of childcare other than a childminder^{F11}..., and
 - (b) give the person a certificate of registration stating that he is so registered.
- (3) Subsections (3) to (5) of section 64 apply in relation to a certificate of registration given in pursuance of subsection (1) or (2) of this section as they apply in relation to a certificate of registration given in pursuance of subsection (1) or (2) of that section.

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Textual Amendments

- F10** Words in s. 65 inserted (1.4.2014 for specified purposes, 1.9.2014 in so far as not already in force) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 4 para. 28](#); S.I. 2014/889, arts. 3(m), 7(e)
- F11** Words in s. 65(2) omitted (1.1.2016) by virtue of [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), s. 164(1), [Sch. 2 para. 14](#); S.I. 2015/1329, reg. 6(b)
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Commencement Information

- I9** S. 65 in force at 1.9.2008 by S.I. 2008/2261, [art. 2](#) (with Schs. 1, 2)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 62 heading words inserted by [2023 c. 55 Sch. 23 para. 17\(2\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 32(6) inserted by [2023 c. 55 Sch. 23 para. 2](#)
- s. 36(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 6\(2\)](#)
- s. 36(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 6\(5\)](#)
- s. 37(2A) inserted by [2023 c. 55 Sch. 23 para. 7\(4\)](#)
- s. 37A(1A) inserted by [2023 c. 55 Sch. 23 para. 8\(3\)](#)
- s. 45A(4C) inserted by [2016 c. 5 s. 3\(2\)\(a\)](#)
- s. 47ZA(3)(a) substituted by [2016 c. 5 s. 3\(2\)\(b\)](#)
- s. 54(1)(a) words substituted by [2023 c. 55 Sch. 23 para. 11\(3\)\(a\)](#)
- s. 54(1)(b) words inserted by [2023 c. 55 Sch. 23 para. 11\(3\)\(b\)](#)
- s. 55(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 12\(2\)](#)
- s. 55(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 12\(5\)](#)
- s. 56(2A) inserted by [2023 c. 55 Sch. 23 para. 13\(4\)](#)
- s. 56A(1A) inserted by [2023 c. 55 Sch. 23 para. 14\(3\)](#)
- s. 57(1)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 15\(b\)](#)
- s. 57A(2)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 16\(3\)](#)
- s. 63(A1)(1) substituted for s. 63(1) by [2023 c. 55 Sch. 23 para. 18](#)
- s. 64(2A) inserted by [2023 c. 55 Sch. 23 para. 19\(4\)](#)
- s. 68(3)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(2\)](#)
- s. 68(4)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(3\)](#)
- s. 68(5)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(4\)](#)
- s. 98(1B) inserted by [2023 c. 55 Sch. 23 para. 24\(3\)](#)
- s. 113A(1) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 113A(3) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)