



Childcare Act 2006

2006 CHAPTER 21

PART 3

REGULATION OF PROVISION OF CHILDCARE IN ENGLAND

CHAPTER 4

VOLUNTARY REGISTRATION

Process of voluntary registration

62 Applications for registration on the general register: childminders

- (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

- (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 in respect of the premises.
- (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 three if—
 - (a) the provision is made at any of the following schools as part of the school's activities—
 - (i) a maintained school,
 - (ii) a school approved by the Secretary of State under section 342 of the Education Act 1996 (c. 56) (approval of non-maintained special schools), or
 - (iii) an independent school [^{F1}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 school or a person employed to work at the school, and
 - (c) the child is a registered pupil at the school or, if the provision is made for more than one child who has attained the age of three, 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(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)

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](#))

64 Entry on the register and certificates

- (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, in respect of the premises in question, 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.

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- (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.

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^[F2] in a childcare register]

- (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 in respect of particular premises gives notice to the Chief Inspector that he wishes to be registered in Part B of the general childcare register in respect of the same premises, 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, in respect of the premises, 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.

Textual Amendments

- F2** 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)

Commencement Information

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

Status:

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