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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings provisions of the Childcare Act 2006 (“the Act”) into force on 30th March, 1st April, 6th April and 1st May 2007. The provisions are listed in articles 2 to 5. Article 6 and the Schedule make savings and transitional provisions.

Article 2 brings section 99 (in so far as it is not already in force) of the Act into force on 30th March 2007. Section 99 concerns the provision of information about young children in England.

Article 3 brings provisions in Part 1 (general functions of local authority: England) of, and Schedules 2 (minor and consequential amendments) and 3 (repeals) to, the Act into force on 1st April 2007. Section 11 of the Act is commenced in so far as it is not already in force, and requires an English local authority to assess the sufficiency of childcare in their area. Section 118A of the School Standards and Framework Act 1998 (duties of LEA in respect of childcare), which makes similar provision, is repealed subject to a transitional provision in the Schedule (paragraph 1). Article 3 also brings sections 15 and 16 of the Act into force. Section 16 amends the Children Act 2004 so that functions of the director of children’s services of an English local authority include functions of the authority under Part 1 of the Act and those functions are children’s services for the purpose of joint area reviews.

Article 4 brings provisions in Part 3 (regulation of provision of Childcare in England) and Part 4 (miscellaneous and general) of, and Schedule 2 and 3 to, the Act into force on 6th April 2007. Section 32 of the Act is brought into force in so far as it requires the Chief Inspector to maintain Part B of the general childcare register. Article 4 also brings into force provisions in Chapter 4 (voluntary registration) and Chapter 5 (common provisions) of Part 3, and certain paragraphs in Schedule 2 and Schedule 3 to the Act.

Article 5 brings section 12 of the Act into force on 1st May 2007, to the extent that it requires an English local authority to provide information about the provision of childcare made by persons registered under Chapter 4 (voluntary registration) of Part 3 of the Act.

Article 6 and the Schedule make savings and transitional provisions in respect of the persons who may make an application for registration under section 62(1) or 63(1) of the Act (paragraphs 2 and 3); premises that are not to be disconnected for non-payment of charges by virtue of the Water Industry Act 1991 (paragraph 4); the meaning of “regulated position” and “day care premises” for the purposes of the Criminal Justice and Court Services Act 2000 (paragraphs 5 and 6); and provision permitting a person registered in England for child minding or the provision of day care under Part 10A of the 1989 Act, to disclose information for inclusion in a database established under section 12 of the Children Act 2004.