

## SCHEDULE 2

Saving and transitional provisions in respect of Part 10A of, and Schedule 9A to, the 1989 Act, and Part 3 of the 2006 Act

### PART 1

Registration on 1st September 2008

#### **Day care providers registered under Part 10A of the 1989 Act: exceptions**

- 5.—(1) Paragraph 4 does not apply in respect of the following persons—
- (a) a person to whom, by virtue of the Exemption from Registration Order, section 34(1) of the 2006 Act does not apply;
  - (b) a person to whom, by virtue of the Exemption from Registration Order, section 53(1) of the 2006 Act does not apply.
- (2) Paragraph 4(2) does not apply in respect of—
- (a) a person who is registered as a day care provider under section 79F(2) of the 1989 Act to whom section 63(3)(1) of the 2006 Act applies; or
  - (b) a person who, before the transfer date, has communicated to the Chief Inspector the wish not to be registered as a provider of childcare other than a childminder under section 64(2) of the 2006 Act.
- (3) Sub-paragraph (3) of paragraph 4 does not apply in respect of—
- (a) a person to whom section 34(2)(2) of the 2006 Act applies; or
  - (b) a person who before the transfer date, has communicated to the Chief Inspector the wish not to be registered as an early years provider other than a childminder under section 37(2) of the 2006 Act.
- (4) Sub-paragraph (4) of paragraph 4 does not apply in respect of—
- (a) a person to whom section 53(2)(3) of the 2006 Act applies; or
  - (b) a person who, before the transfer date, has communicated to the Chief Inspector the wish not to be registered as a later years provider other than a childminder under section 56(2) of the 2006 Act.

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- (1) The effect of section 63(3) of the 2006 Act is that a school mentioned in that section may not be registered in Part B of the general childcare register in respect of provision made for children who are three or over, where the provision is made by the school and at least one child is a registered pupil at the school.
- (2) The effect of section 34(2) of the 2006 Act is that a school mentioned in that section is exempted from the requirement in section 34(1) to be registered in the early years register, in relation to provision made for children aged three and over, where the provision is made by the school and at least one child is a registered pupil at the school.
- (3) The effect of section 53(2) of the 2006 Act is that a school mentioned in that section is exempted from the requirement in section 53(1) to be registered in Part A of the general childcare register, in relation to provision made for children up to the age of eight, where that provision is made by the school and at least one child is a registered pupil at the school.