

2010 No. 307

CHILDREN AND YOUNG PERSONS, ENGLAND

The Childcare (Fees) (Amendment) Regulations 2010

Made - - - - *11th February 2010*

Laid before Parliament *18th February 2010*

Coming into force - - *1st September 2010*

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by sections 35(2)(c), 36(2)(c), 89(1) and 104(2) of the Childcare Act 2006(a):

Citation and commencement

1. These Regulations may be cited as the Childcare (Fees) (Amendment) Regulations 2010 and come into force on 1st September 2010.

Amendments to the Childcare (Fees) Regulations 2008

2.—(1) The Childcare (Fees) Regulations 2008(b) are amended as follows.

(2) In Regulation 3, for “£30” substitute “£35”.

(3) In Regulation 4—

- (a) in sub-paragraph (a), for “£30” substitute “£35”;
- (b) in sub-paragraph (b), for “£200” substitute “£220”.

(4) In Regulation 9(2), for “£30” substitute “£35”.

(5) In Regulation 10—

- (a) in paragraph (2), for “£30” substitute “£35”;
- (b) in paragraph (3), for “£200” substitute “£220”; and
- (c) in paragraph (7)—

- (i) for “2010” substitute “2011”; and
- (ii) for sub-paragraph (a) substitute—

“(a) paragraph (2) is to have effect as if in that provision—

- (i) in sub-paragraph (a), the reference to 3 hours was a reference to 4 hours; and
- (ii) the reference to £35 was a reference to £50; and”.

(a) 2006 c. 21. For the definitions of “prescribed” and “regulations” see section 98(1).
(b) S.I. 2008/1804, amended by S.I. 2009/1507.

11th February 2010

Dawn Primarolo
Minister of State
Department for Children, Schools and Families

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Childcare (Fees) Regulations 2008 (S.I. 2008/1804) (“the 2008 Regulations”) to increase the fees payable by childcare providers under Part 3 of the Childcare Act 2006.

The changes relate to the fees for applying for registration in the early years register (“the EYR”) under Part 3 of the Childcare Act 2006 and the annual fees payable by childcare providers registered in the EYR.

Regulation 2(5)(c) amends Regulation 10(7) of the 2008 Regulations to extend to 31st August 2011 the transitional provision for those childcare providers (other than childminders) automatically transferring on 1st September 2008 from the childcare register under Part 10A of the Children Act 1989 to one of the Childcare Act 2006 registers. The transitional provision means that for such providers the fee applicable to early years provision that is provided for more than 3 hours but less than 4 hours per day will be £50 (rather than £220 as would otherwise be the case under regulation 10(3) of the 2008 Regulations).

The changes will take effect from 1st September 2010.

An Impact Assessment has been produced for this instrument and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website <http://www.opsi.gov.uk>.

£4.00