STATUTORY INSTRUMENTS

2005 No. 2301

CHILDREN AND YOUNG PERSONS, ENGLAND

The Day Care and Child Minding (Registration Fees) (England) Regulations 2005

Made - - - -	*16th August 2005*
Laid before Parliament	*26th August 2005*
Coming into force - -	*3rd October 2005*

In exercise of the powers conferred on the Secretary of State by sections 79E(2)(c) and 104(4) of, and paragraphs 6(4) and 7 of Schedule 9A to, the Children Act 1989(**a**), the Secretary of State for Education and Skills hereby makes the following Regulations:

Citation, commencement, revocation and application

1.—(1) These Regulations may be cited as the Day Care and Child Minding (Registration Fees) (England) Regulations 2005 and shall come into force on 3rd October 2005.

(2) The Child Minding and Day Care (Registration and Annual Fees) Regulations 2001(**b**) are revoked.

(3) These Regulations apply only in relation to England.

Interpretation

2. In these Regulations "the Act" means the Children Act 1989.

Applications for registration

3.—(1) Where an application is made by a person for registration for child minding, the prescribed fee for the purposes of section 79E(2)(c) of the Act is £14.

(2) Where an application is made by any person for registration for providing day care on any premises, the prescribed fee for the purposes of section 79E(2)(c) of the Act is—

(a) £121 where the applicant provides or is to provide day care for a continuous period of 4 hours or more in any day; and

(b) £14 where the applicant does not provide or is not to provide day care for a continuous period of 4 hours or more in any day.

(**a**) 1989 c.41. Sections 79B and 79E and Schedule 9A were inserted by section 79(1) of and Schedule 3 to the Care Standards Act 2000 (c.14) and amended by paragraph 3(1) and 4(2) of Schedule 4 to the Children Act 2004 (c.31). For the definition of 'prescribed', see section 105(1) of the Act and for the meaning of 'regulations', see section 79B(7).

(**b**) SI 2001/1886.

Periodic fees

4.—(1) The prescribed time for the purposes of paragraph 7 of Schedule 9A to the Act is one calendar year from date of registration and at intervals of one calendar year thereafter.

(2) The prescribed fees for the purposes of paragraph 7 of Schedule 9A to the Act are—

(a) £11, in the case of a childminder;

(b) £94, in the case of a provider of day care who provides day care for a continuous period of 4 hours or more in any day;

(c) £11, in the case of a provider of day care who does not provide day care for a continuous period of 4 hours or more in any day.

Fee payable for issue of copy certificate where original has been lost or destroyed

5. The prescribed fee for the purposes of paragraph 6(4) of Schedule 9A to the Act is £5.00.

Beverley Hughes
Minister of State
16th August 2005 Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the fees under section 79E of, and paragraph 6(4) and 7 of Schedule 9A to, the Children Act 1989 in relation to registration for child minding or providing day care.

"Child minding" is defined in section 79A(2) of that Act, subject to the following subsections of that section, as looking after one or more children under the age of 8 on domestic premises for reward.

"Day care" is defined in section 79A(6) of that Act as care provided at any time for children under the age of 8 on premises other than domestic premises.

The Regulations also prescribe the annual fees to be paid by child minders and those providing day care under paragraph 7 of Schedule 9A to the Children Act 1989. They also prescribe the fee payable for a replacement certificate where the original has been lost or destroyed.

The Children Act 2004 amended sections 79E and 79F of the Children Act 1989 to provide that fees are to be paid at the time of application rather than at some point up until the grant or refusal of registration and to provide for fees to be paid other than annually. These Regulations replace the Child Minding and Day Care (Registration and Annual Fees) Regulations 2001 (SI 2001/1886) and are necessary following this amendment of the Children Act 1989 by the Children Act 2004. The level of fees has not been changed.

£3.00

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E1242 8/2005 151242T 19585

ISBN 0-11-073262-6

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