STATUTORY INSTRUMENTS

2024 No. 1000 (C. 65)

CHILDREN AND YOUNG PERSONS, ENGLAND

The Levelling-up and Regeneration Act 2023 (Commencement No. 5 and Transitional Provision) Regulations 2024

Made - - - -	*9th October 2024*
Coming into force - -	*1st November 2024*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 255(9)(a) and (12) of the Levelling-up and Regeneration Act 2023(**a**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Levelling-up and Regeneration Act 2023 (Commencement No. 5 and Transitional Provision) Regulations 2024.

(2) In these Regulations—

"the Act" means the Levelling-up and Regeneration Act 2023;

"the 2006 Act" means the Childcare Act 2006(**b**);

"the commencement date" means 1st November 2024.

(3) In these Regulations the following terms have the meaning given by section 98 (interpretation of Part 3) of the 2006 Act—

(a) "the Chief Inspector"(**c**);

(b) "childcare";

(c) "childminder agency"(**d**);

(d) "domestic premises";

(e) "early years childminder";

(f) "early years childminder agency(**e**)";

(g) "early years childminding";

(h) "early years provider";

(i) "early years provision";

(j) "later years childminder";

(k) "later years childminder agency(**f**)";

(**a**) 2023 c. 55 ("the LURA").
(**b**) 2006 c. 21 ("the 2006 Act").
(**c**) The definition of Chief Inspector was amended by paragraph 117 of Schedule 14 to the Education and Inspections Act 2006 (c. 40).
(**d**) The definition of childminder agency was inserted by paragraph 62(2)(a) of Schedule 4 to the Children and Families Act 2014 (c. 6) ("the 2014 Act").
(**e**) The definition of early years childminder agency was inserted by paragraph 62(2)(b) of Schedule 4 to the 2014 Act.
(**f**) The definition of later years childminder agency was inserted by paragraph 62(2)(c) of Schedule 4 to the 2014 Act.

(l) "later years childminding";

(m) "later years provider";

(n) "later years provision".

(4) In these Regulations, the following terms are to be construed in accordance with section 32(**a**) (maintenance of the two childcare registers) of the 2006 Act—

(a) "the early years register";

(b) "Part A of the general childcare register";

(c) "Part B of the general childcare register".

Provisions coming into force on the commencement date

2. The following provisions of the Act come into force on the commencement date—

(a) section 237 (childcare: use of non-domestic premises) and Schedule 23 (use of non-domestic premises for childcare: registration); and

(b) section 238 (childcare: number of providers).

Schedules – transitional provision

3. The following Schedules to these Regulations have effect—

(a) Schedule 1 (transitional provision: persons who may only provide childcare on non-domestic premises other than childminders without domestic premises);

(b) Schedule 2 (transitional provision: persons providing childcare on domestic premises other than childminders); and

(c) Schedule 3 (transitional provision: childminders with domestic premises).

Saving provision in relation to the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014

4. No provision made in the Schedules to these Regulations has any effect for the purpose of computing a year of registration for the purposes of the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014(**b**).

Signed on behalf of the Secretary of State

Stephen Morgan
Parliamentary Under Secretary of State
Department for Education

9th October 2024

SCHEDULES

SCHEDULE 1

Regulation 3(a)

Transitional Provision: persons who may only provide childcare on non-domestic premises other than childminders without domestic premises

1.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as an early years provider other than a childminder

(**a**) Section 32 was amended by paragraph 2 of Schedule 4 to the 2014 Act.
(**b**) S.I. 2014/1920; "year of registration" is defined in regulation 2 of that instrument.

in the early years register under section 37(2)(**a**) of the 2006 Act (entry on the register and certificates) by virtue of an application for registration made under section 36(1)(**b**) of the 2006 Act (applications for registration: other early years providers).

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as an early years provider other than a childminder in the early years register under section 37(2) of the 2006 Act by virtue of an application for registration made under section 36(1)(a) of the 2006 Act.

2.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has made an application for registration as an early years provider other than a childminder in the early years register under section 36(1) of the 2006 Act; and

(b) immediately before the commencement date the application for registration referred to in paragraph (a) remains undetermined by the Chief Inspector.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have made the application referred to in sub-paragraph (1)(a) for registration as an early years provider other than a childminder in the early years register under section 36(1)(a) of the 2006 Act.

3.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as a later years provider other than a childminder in Part A of the general childcare register under section 56(2)(**c**) of the 2006 Act (entry on the register and certificates) by virtue of an application for registration made under section 55(1)(**d**) of the 2006 Act (applications for registration: other later years providers).

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a later years provider other than a childminder in Part A of the general childcare register under section 56(2) of the 2006 Act by virtue of an application for registration made under section 55(1)(a) of the 2006 Act.

4.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has made an application for registration as a later years provider other than a childminder in Part A of the general childcare register under section 55(1) of the 2006 Act; and

(b) immediately before the commencement date the application for registration referred to in paragraph (a) remains undetermined by the Chief Inspector.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have made the application referred to in sub-paragraph (1)(a) for registration as a later years provider other than a childminder in Part A of the general childcare register under section 55(1)(a) of the 2006 Act.

5.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as a later years provider other than a childminder in Part A of the general childcare register under section 57(2)(**e**) of the 2006 Act (special procedure for providers registered in the early years register) in relation to later years provision in respect of which a person is required to be registered by section 53(1)(**f**) of the 2006 Act (requirement to register: other later years providers for children under eight).

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a later years provider other than a childminder in Part A of the general

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(**a**) On and after 1st November 2024 ("the commencement date") section 37 is amended by paragraph 7 of Schedule 23 to the LURA.
(**b**) On and after the commencement date section 36 is amended by paragraph 6 of Schedule 23 to the LURA.
(**c**) On and after the commencement date section 56 is amended by paragraph 13 of Schedule 23 to the LURA.
(**d**) On and after the commencement date section 55 is amended by paragraph 12 of Schedule 23 to the LURA.
(**e**) On and after the commencement date section 57 is amended by paragraph 15 of Schedule 23 to the LURA.
(**f**) On and after the commencement date section 53 is amended by paragraph 10 of Schedule 23 to the LURA.

childcare register under section 57(2) of the 2006 Act in relation to later years provision in respect of which a person is required to be registered by section 53(1)(a) of the 2006 Act.

6.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has given notice to the Chief Inspector under section 57(2) of the 2006 Act for registration as a later years provider other than a childminder in Part A of the general childcare register in relation to later years provision in respect of which a person is required to be registered by section 53(1) of the 2006 Act; and

(b) immediately before the commencement date the Chief Inspector has not discharged their duty under section 57(2) of the 2006 Act in relation to the notice referred to in paragraph (a).

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have given the notice referred to in sub-paragraph (1)(a) to the Chief Inspector under section 57(2) of the 2006 Act for registration as a later years provider other than a childminder in Part A of the general childcare register in relation to later years provision in respect of which a person is required to be registered by section 53(1)(a) of the 2006 Act.

7.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as a provider of childcare other than a childminder in Part B of the general childcare register under section 64(2)(**a**) of the 2006 Act (entry on the register and certificates) in relation to—

(a) early years provision; or

(b) later years provision,

in respect of which a person is not required to be registered by section 34(1)(**b**) (requirement to register: other early years providers) or 53(1) of the 2006 Act respectively.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a provider of childcare other than a childminder in Part B of the general childcare register under section 64(2) of the 2006 Act in relation to—

(a) early years provision; or

(b) later years provision,

in respect of which a person is not required to be registered by section 34(1)(a) or 53(1)(a) of the 2006 Act respectively.

8.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has made an application for registration as a provider of childcare other than a childminder in Part B of the general childcare register under section 63(1)(**c**) of the 2006 Act (applications for registration on the general register: other childcare providers) in relation to—

(i) early years provision; or

(ii) later years provision,

in respect of which a person is not required to be registered by section 34(1) or 53(1) of the 2006 Act respectively; and

(b) immediately before the commencement date the application for registration referred to in paragraph (a) remains undetermined by the Chief Inspector.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have made the application referred to in sub-paragraph (1)(a) for registration as a provider

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(**a**) On and after the commencement date section 64 is amended by paragraph 19 of Schedule 23 to the LURA.
(**b**) On and after the commencement date section 34 is amended by paragraph 4 of Schedule 23 to the LURA.
(**c**) On and after the commencement date section 63 is amended by paragraph 18 of Schedule 23 to the LURA.

of childcare other than a childminder in Part B of the general childcare register under section 63(1)(a) of the 2006 Act in relation to—

(a) early years provision; or

(b) later years provision,

in respect of which a person is not required to be registered by section 34(1)(a) or 53(1)(a) of the 2006 Act respectively.

9.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as a provider of childcare other than a childminder in Part B of the general childcare register under section 65(2) of the 2006 Act (special procedure for persons already registered in a childcare register) in relation to—

(a) early years provision; or

(b) later years provision,

in respect of which a person is not required to be registered by section 34(1) or section 53(1) of the 2006 Act respectively.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a provider of childcare other than a childminder in Part B of the general childcare register under section 65(2) in relation to—

(a) early years provision; or

(b) later years provision,

in respect of which a person is not required to be registered by section 34(1)(a) or 53(1)(a) of the 2006 Act respectively.

10.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has given notice to the Chief Inspector under section 65(2) of the 2006 Act for registration as a provider of childcare other than as a childminder in Part B of the general childcare register in relation to—

(i) early years provision; or

(ii) later years provision,

in respect of which a person is not required to be registered by section 34(1) or section 53(1) of the 2006 Act respectively; and

(b) immediately before the commencement date the Chief Inspector has not discharged their duty under section 65(2) of the 2006 Act in relation to the notice referred to in paragraph (a).

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have given the notice referred to in sub-paragraph (1)(a) under section 65(2) of the 2006 Act for registration as a provider of childcare other than a childminder in Part B of the general childcare register in relation to—

(a) early years provision; or

(b) later years provision,

in respect of which a person is not required to be registered by section 34(1)(a) or 53(1)(a) of the 2006 Act respectively.

SCHEDULE 2

Regulation 3(b)

Transitional provision: persons providing childcare on domestic premises other than childminders

PART 1

Introductory

Transitional Provision

1. For as long as a registration remains a relevant registration, the amendments made by section 238 of the Act to section 96(5) and (9) (meaning of early years and later years provision etc.) of the 2006 Act do not apply in relation to that relevant registration.

Meaning of relevant registration

2.—(1) For the purposes of this Schedule a "relevant registration" means a registration that comes within a paragraph in Part 2 of this Schedule.

(2) A relevant registration held immediately before the commencement date is a relevant registration even if that relevant registration is recorded in the early years register or in Part A or Part B of the general childcare register in consequence of—

(a) the cancellation of a childminder agency's registration under—

(i) regulation 13 (effect of cancellation of an early years childminder agency); or

(ii) regulation14 (effect of cancellation of a later years childminder agency); or

(b) the voluntary removal of a childminder agency's registration under—

(i) regulation 15 (voluntary removal of childminder agency from register: providers (early years, etc.)); or

(ii) regulation 16 (voluntary removal of childminder agency from register: providers (later years, etc.)),

of the Childcare (Childminder Agencies) (Cancellation etc.) Regulations 2014(**a**).

(3) A relevant registration remains a relevant registration on and after the commencement date even if that registration is subsequently recorded in the early years register or in Part A or Part B of the general childcare register in consequence of the circumstances referred to in paragraph (2)(a) or (b).

PART 2

Meaning of relevant registration

3.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration—

(a) in the early years register under section 37(2) of the 2006 Act by virtue of an application for registration made under section 36(1A)(a)(**b**) of the 2006 Act; or

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(**a**) S.I. 2014/1922 as amended by S.I. 2023/1167.

(**b**) Subsection (1A) was inserted by paragraph 7(2) of Schedule 4 of the 2014 Act, and amended by paragraph 3(b) and (c) of Schedule 2 to the Small Business, Enterprise and Employment Act 2015 (c. 26) ("the 2015 Act").

(b) with an early years childminder agency under section 37A(2)(**a**) of the 2006 Act (early years childminder agencies: registers and certificates).

(3) The condition in this sub-paragraph is that the registration was held by a person immediately before the commencement date.

4.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that the registration meets the condition in paragraph 3(2).

(3) The condition in this sub-paragraph is that the registration is granted to a person on or after the commencement date by virtue of an application for registration made before the commencement date.

5.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration—

(a) in Part A of the general childcare register—

(i) under section 56(2) of the 2006 Act by virtue of an application for registration made under section 55(1A)(a)(**b**) of the 2006 Act; or

(ii) under section 57(2) of the 2006 in relation to later years provision in respect of which a person is required to be registered by 53(1A) of the 2006 Act; or

(b) with a later years childminder agency—

(i) under section 56A(2)(**c**) of the 2006 Act (later years childminder agencies: registers and certificates); or

(ii) under section 57A(4)(**d**) of the 2006 Act (special procedure for providers registered with early years childminder agencies).

(3) The condition in this sub-paragraph is that the registration was held by a person immediately before the commencement date.

6.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration which meets the condition in paragraph 5(2)(a)(i) or (b)(i).

(3) The condition in this sub-paragraph is that the registration is granted to a person on or after the commencement date by virtue of an application for registration made before the commencement date.

7.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration which meets the condition in paragraph 5(2)(a)(ii) or (b)(ii).

(3) The condition in this sub-paragraph is that the registration is granted to a person on or after the commencement date by virtue of a notice for registration given before the commencement date.

(**a**) Section 37A was inserted by paragraph 9 of Schedule 4 to the 2014 Act, and amended by paragraph 5 of Schedule 2 to the 2015 Act.

(**b**) Subsection (1A) was inserted by paragraph 18(2) of Schedule 4 to the 2014 Act, and amended by paragraph 7(b) and (c) of Schedule 2 to the 2015 Act.

(**c**) Section 56A was inserted by paragraph 20 of Schedule 4 to the 2014 Act, and amended by paragraph 9 of Schedule 2 to the 2015 Act.

(**d**) Section 57A was inserted by the paragraph 22 of Schedule to the 2014 Act, and amended by paragraph 11 of Schedule 2 to the 2015 Act. It is also, on and after the commencement date, amended by paragraph 16 of Schedule 23 to the LURA.

8.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2), (3) and (5), or the conditions in sub-paragraphs (4) and (5).

(2) The condition in this sub-paragraph is that it is a registration in Part B of the general childcare register under—

(a) section 64(2) of the 2006 Act; or

(b) section 65(2) of the 2006 Act.

(3) The condition is this sub-paragraph is that the registration is in relation to—

(a) early years provision; or

(b) later years provision,

in respect of which a person is not required to be registered by virtue of section 34(1A) or 53(1A) of the 2006 Act respectively.

(4) The condition in this sub-paragraph is that it is a registration with an early years childminder agency or a later years childminder agency under section 65A(4)(**a**) of the 2006 Act (procedure for persons already registered with a childminder agency).

(5) The condition in this sub-paragraph is that the registration was held by a person immediately before the commencement date.

9.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration which meets the conditions in paragraph 8(2)(a) and (3).

(3) The condition in this sub-paragraph is that the registration is granted to a person on or after the commencement date by virtue of an application for registration made before the commencement date.

10.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration which meets the conditions in paragraph 8(2)(b) and (3) or the condition in paragraph 8(4).

(3) The condition in this sub-paragraph is that the registration is granted to a person on or after the commencement date by virtue of a notice for registration given before the commencement date.

11.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration which meets the condition in paragraph 5(2)(a)(ii) or (b)(ii).

(3) The condition in this sub-paragraph is that the registration is granted—

(a) on or after the commencement date;

(b) to a person who holds a registration which comes within paragraph 3 or 4; and

(c) by virtue of a notice for registration given on or after the commencement date.

12.—(1) A registration comes within this paragraph if it meets the conditions in sub-paragraphs (2) and (3).

(2) The condition in this sub-paragraph is that it is a registration which meets the conditions in paragraph 8(2)(b) and (3) or the condition in paragraph 8(4).

(3) The condition in this sub-paragraph is that the registration is granted—

(a) on or after the commencement date;

(**a**) Section 65A was inserted by paragraph 29 of Schedule 4 to the 2014 Act, and amended by paragraph 15 of Schedule 2 to the 2015 Act.

(b) to a person who holds a registration which comes within paragraph 3, 4, 5, 6, or 7; and

(c) by virtue of a notice for registration given on or after the commencement date.

SCHEDULE 3

Regulation 3(c)

Transitional Provision: childminders with domestic premises

1.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as an early years childminder—

(a) in the early years register under section 37(1) of the 2006 Act; or

(b) with an early years childminder agency under section 37A(1) of the 2006 Act.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as an early years childminder with domestic premises—

(a) in the case of a person whose registration is described in sub-paragraph (1)(a), in the early years register under section 37(1) of the 2006 Act; or

(b) in the case of a person whose registration is described in sub-paragraph (1)(b), with the early years childminder agency under section 37A(1) of the 2006 Act.

2.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has made an application for registration as an early years childminder—

(i) in the early years register under section 35(1)(a) of the 2006 Act (applications for registration: early years childminders with domestic premises); or

(ii) with an early years childminder agency under section 35(1)(b) of the 2006 Act; and

(b) immediately before the commencement date the application for registration referred to in sub-paragraph (a) remains undetermined by the Chief Inspector or, as the case may be, the early years childminder agency in question.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have made the application referred to in sub-paragraph (1)(a)(i) or (ii) for registration as an early years childminder with domestic premises—

(a) in the case of an application described in sub-paragraph (1)(a)(i), in the early years register under section 35(1)(a) of the 2006 Act; or

(b) in the case of an application described in sub-paragraph (1)(a)(ii), with the early years childminder agency in question under section 35(1)(b) of the 2006 Act.

3.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as a later years childminder—

(a) in Part A of the general childcare register under section 56(1) of the 2006 Act; or

(b) with a later years childminder agency under section 56A(1) of the 2006 Act.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a later years childminder with domestic premises—

(a) in the case of a person whose registration is described in sub-paragraph (1)(a), in Part A of the general childcare register under section 56(1) of the 2006 Act; or

(b) in the case of a person whose registration is described in sub-paragraph (1)(b), with the later years childminder agency under section 56A(1) of the 2006 Act.

4.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has made an application for registration as a later years childminder—

(i) in Part A of the general childcare register under section 54(1)(a)(**a**) of the 2006 Act (applications for registration: later years childminders with domestic premises); or

(ii) with a later years childminder agency under section 54(1)(b) of the 2006 Act; and

(b) immediately before the commencement date the application for registration referred to in paragraph (a) remains undetermined by the Chief Inspector or, as the case may be, the later years childminder agency in question.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have made the application referred to in sub-paragraph (1)(a)(i) or (ii) for registration as a later years childminder with domestic premises—

(a) in the case of a person whose application is described in sub-paragraph (1)(a)(i), in Part A of the general childcare register under section 54(1)(a) of the 2006 Act; or

(b) in the case of a person whose application is described in sub-paragraph (1)(a)(ii), with the later years childminder agency in question under section 54(1)(b) of the 2006 Act.

5.—(1) A person comes within this sub-paragraph where immediately before the commencement date the person is registered a later years childminder—

(a) in Part A of the general childcare register under section 57(1) of the 2006 Act; or

(b) with a later years childminder agency under section 57A(2) of the 2006 Act.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a later years childminder with domestic premises—

(a) in the case of a person whose registration is described in sub-paragraph (1)(a), in Part A of the general childcare register under section 57(1)(a)(i) of the 2006 Act; or

(b) in the case of a person whose registration is described in sub-paragraph (1)(b), with the later years childminder agency under section 57A(2)(a)(i) of the 2006 Act.

6.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has given notice for registration as a later years childminder—

(i) to the Chief Inspector under section 57(1) of the 2006 Act for registration in Part A of the general childcare register; or

(ii) to a later years childminder agency under section 57A(2) of the 2006 Act for registration with that later years childminder agency; and

(b) immediately before the commencement date—

(i) the Chief Inspector has not discharged their duty under section 57(1) of the 2006 Act; or, as the case may be,

(ii) the later years childminder agency in question has not discharged its duty under section 57A(2) of the 2006 Act,

in relation to the notice referred to in sub-paragraph (a).

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have given the notice referred to in sub-paragraph (1)(a)(i) or (ii) for registration as a later years childminder with domestic premises—

(a) in the case of a person who has given a notice to be registered as described in sub-paragraph (1)(a)(i), in Part A of the general childcare register under section 57(1)(a)(i) of the 2006 Act; or

(b) in the case of a person who has given a notice to be registered as described in sub-paragraph (1)(a)(ii), with the later years childminder agency in question under section 57A(2)(a)(i) of the 2006 Act.

(**a**) On and after the commencement date section 54 is amended by paragraph 11 of Schedule 23 to the LURA.

7.—(1) A person comes within this sub-paragraph where immediately before the commencement date the person is registered as a childminder in Part B of the general childcare register under section 64(1) of the 2006 Act.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a childminder with domestic premises in Part B of the general childcare register under section 64(1) of the 2006 Act.

8.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has made an application for registration as a childminder in Part B of the general childcare register under section 62(1)(**a**) of the 2006 Act (applications for registration on the general register: childminders with domestic premises); and

(b) immediately before the commencement date the application for registration referred to in paragraph (a) remains undetermined by the Chief Inspector.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have made the application referred to in sub-paragraph (1)(a) for registration as a childminder with domestic premises in Part B of the general childcare register under section 62(1) of the 2006 Act.

9.—(1) A person comes within this sub-paragraph where immediately before the commencement date that person is registered as a childminder—

(a) in Part B of the general childcare register under section 65(1) of the 2006 Act; or

(b) with an early years childminder agency or a later years childminder agency under section 65A(2) of the 2006 Act.

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to be registered as a childminder with domestic premises—

(a) in the case of a person whose registration is described in sub-paragraph (1)(a), in Part B of the general childcare register under section 65(1) of the 2006 Act; or

(b) in the case of a person whose registration is described in sub-paragraph (1)(b), with the early years childminder agency or later years childminder agency in question under section 65A(2) of the 2006 Act.

10.—(1) A person comes within this sub-paragraph where—

(a) before the commencement date that person has given notice for registration as a childminder—

(i) to the Chief Inspector under section 65(1) of the 2006 Act for registration in Part B of the general childcare register; or

(ii) to an early years childminder agency or to a later years childminder agency under section 65A(1) of the 2006 Act for registration with that early years childminder agency or later years childminder agency; and

(b) immediately before the commencement date—

(i) the Chief Inspector has not discharged their duty under section 65(1) of the 2006 Act; or, as the case may be,

(ii) the early years or the later years childminder agency in question has not discharged its duty under section 65A(2) of the 2006 Act,

in relation to the notice referred to in sub-paragraph (a).

(2) A person who comes within sub-paragraph (1) is deemed on and after the commencement date to have given the notice referred to in sub-paragraph (1)(a)(i) or (ii) for registration as a childminder with domestic premises—

(**a**) On and after the commencement date section 62 and its heading is amended by paragraph 17 of Schedule 23 to the LURA.

(a) in the case of a person who has given a notice to be registered as described in sub-paragraph (1)(a)(i), in Part B of the general childcare register under section 65(1) of the 2006 Act; or

(b) in the case of a person who has given a notice to be registered as described in sub-paragraph (1)(a)(ii), with the early years childminder agency or the later years childminder agency in question under section 65A(1) of the 2006 Act.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the fifth commencement regulations bringing into force provision in the Levelling-up And Regeneration Act 2023 (c. 55) ("the Act").

The provisions of the Act specified in regulation 2 come into force on 1st November 2024. Those provisions are—

(a) section 237 (childcare: use of non-domestic premises), and Schedule 23 (use of non-domestic premises for childcare registration) as introduced by that section; and

(b) section 238 (childcare: number of providers).

The provision brought into force by these Regulations amends Part 3 of the Childcare Act 2006 (c. 21) ("the 2006 Act") (regulation of provision of childcare in England).

Section 237(1) of the Act amends the definitions of "early years childminding" and "later years childminding" in sections 96(4) and (8) of the Childcare Act 2006 respectively (those provisions coming within Part 3 of the 2006 Act), by removing the requirement that at least half of the provision must be provided on domestic premises. Subsection (2) introduces Schedule 23 (use of non-domestic premises for childcare registration) which makes further amendments to Part 3 of the 2006 Act relating to the registration of persons providing childminding wholly on non-domestic premises.

Section 238 amends sections 96(5) and (9) of the 2006 Act, substituting the word "three" with "four". The effect of this change is to increase the number of other childminders or assistants that childminders may work with from two to three (four people in total). It also increases, from four to five, the minimum number of people that must work together to provide "childcare on domestic premises" (provision that would be childminding, at least some or all of which is on domestic premises, but for the operation of sections 96(5) and (9) of the Childcare Act 2006).

The Schedules to these Regulations make transitional provision in relation to the provision these Regulations bring into force.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Levelling-up and Regeneration Act 2023 have been brought into force by commencement Regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Section 78	31.01.2024	S.I. 2024/92
Section 81	31.01.2024	S.I. 2024/92
Sections 84 to 86	31.03.2024	S.I. 2024/389
Sections 89 to 91	31.01.2024	S.I. 2024/389
Section 94	31.01.2024	S.I. 2024/92
Section 103	25.04.2024	S.I. 2024/452
Section 105	25.07.2024	S.I. 2024/452
Sections 106 and 107 (partially)	31.01.2024	S.I. 2024/92
Section 111 (partially)	31.03.2024	S.I. 2024/389

Section 115 to 120	25.04.2024	S.I. 2024/452
Section 122	25.04.2024	S.I. 2024/452
Section 123	31.03.2024	S.I. 2024/92
Section 124	25.04.2024	S.I. 2024/452
Section 129	31.01.2024	S.I. 2024/92
Section 135	12.02.2024	S.I. 2024/92
Section 140	31.01.2024	S.I. 2024/92
Section 171 (partially)	31.03.2024	S.I. 2024/389
Section 180	31.01.2024	S.I. 2024/92
Section 181 (partially)	31.01.2024	S.I. 2024/92
Section 181 (partially)	31.01.2024	S.I. 2024/92
Sections 182 and 183 (partially)	30.04.2024	S.I. 2024/389
Section 184 (partially)	31.01.2024	S.I. 2024/92
Section 184 (partially)	31.03.2024	S.I. 2024/389
Section 184 (partially)	30.04.2024	S.I. 2024/389
Sections 185 to 188	31.01.2024	S.I. 2024/92
Section 189	31.01.2025	S.I. 2024/92
Section 190 (partially)	30.04.2024	S.I. 2024/92
Section 190 (partially)	30.04.2024	S.I. 2024/92
Section 203 (partially)	31.03.2024	S.I. 2024/389
Sections 205 and 206 (partially)	31.03.2024	S.I. 2024/389
Section 214 (partially)	31.03.2024	S.I. 2024/389
Section 215	31.03.2024	S.I. 2024/389
Section 229	31.03.2024	S.I. 2024/389
In Schedule 4—		
(a) paragraphs 226 (partially) and 227 to 229;	26.12.2023	S.I. 2023/1405
(b) paragraphs 226 (remainder) and 230.	07.05.2024	S.I. 2023/1405
Schedule 5	31.01.2024	S.I. 2024/92
In Schedule 9, paragraph 1 (partially)	31.01.2024	S.I. 2024/92
Schedule 13 (remainder)	31.03.2024	S.I. 2024/389
In Schedule 19—		
(a) paragraph 1 (partially);	31.01.2024	S.I. 2024/92
(b) paragraph 1 (partially);	30.04.2024	S.I. 2024/389
(c) paragraphs 2 and 3 (partially)	31.03.2024	S.I. 2024/389
Schedule 22	31.03.2024	S.I. 2024/389

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£8.14

http://www.legislation.gov.uk/id/uksi/2024/1000

ISBN 978-0-34-826421-0

