



Childcare Act 2006

2006 CHAPTER 21

PART 3

REGULATION OF PROVISION OF CHILDCARE IN ENGLAND

CHAPTER 5

COMMON PROVISIONS

Rights of entry

78 Requirement for consent to entry

- (1) This section applies where a person (“the authorised person”) proposes to enter domestic premises in pursuance of—
 - (a) provision made by virtue of section 42(1) and (4) in a learning and development order specifying assessment arrangements in relation to early years provision, or
 - (b) a power of entry conferred by section 77(2).
- (2) If the authorised person has reasonable cause to believe—
 - (a) that the premises are not the home of the person providing the early years or later years provision, or
 - (b) that the premises are the home of a child for whom the early years or later years provision is provided,the authorised person may not enter the premises without the consent of an adult who is an occupier of the premises.
- (3) Subsection (2) does not prevent the imposition under section 38, 58 or 66 of a condition requiring a person registered under Chapter 2, 3 or 4 to secure that the occupier of any premises on which the registered person provides early years provision or later years provision gives any consent required by that subsection.

Status: This is the original version (as it was originally enacted).

(4) In this section—

“a learning and development order” means an order under section 39(1)(a);
“occupier” does not include the person providing the early years or later years provision.