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STATUTORY INSTRUMENTS

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**2007 No. 1019**

**The Childcare Act 2006 (Commencement No. 2 and Savings and Transitional Provisions) Order 2007**

**Citation and interpretation**

1.—(1) This Order may be cited as the Childcare Act 2006 (Commencement No. 2 and Savings and Transitional Provisions) Order 2007.

(2) In this Order—

“the Act” means the Childcare Act 2006,

“the 1989 Act” means the Children Act 1989(1).

**Provision of the Act coming into force on 30th March 2007**

2. Section 99 of the Act (provision of information about young children: England)(2) comes into force on 30th March 2007, in so far as it is not already in force.

**Provisions of the Act coming into force on 1st April 2007**

3. The following provisions of the Act come into force on 1st April 2007—

section 11 (duty to assess childcare provision), in so far as it is not already in force,

section 15 (powers of Secretary of State to secure proper performance etc.),

section 16 (amendments of Children Act 2004),

in relation to England, paragraph 31 of Schedule 2 (and section 103(1) in so far as it relates to that paragraph),

section 103(2) to the extent that it relates to the provisions of Schedule 3 specified below—

in Schedule 3 the repeal—

in relation to England, of section 118A of the School Standards and Framework Act 1998(3),

in relation to England, of section 149(1) of the Education Act 2002(4),

in sections 18 and 23 of the Children Act 2004(5), the words there specified.

**Provisions of the Act coming into force on 6th April 2007**

4. The following provisions of the Act come into force on 6th April 2007—

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(1) 1989 c. 41.

(2) Until section 7 of the Childcare Act 2006 comes into force, section 99 has effect subject to the modifications specified in section 100(2) and (3) of that Act.

(3) 1998 c. 31.

(4) 2002 c. 32.

(5) 2004 c. 31.

section 32 (maintenance of the two childcare registers), in so far as it requires the Chief Inspector<sup>(6)</sup> to maintain the second Part of the second register (Part B of the general childcare register),

section 62 (applications for registration on the general register: childminders), except subsection (1)(b), in so far as it is not already in force,

section 63 (applications for registration on the general register: other childcare providers), except subsection (1)(b), in so far as it is not already in force,

section 64 (entry on the register and certificates), in so far as it is not already in force,

section 66 (conditions on registration),

section 67 (regulations governing activities), in so far as it is not already in force,

section 68 (cancellation of registration),

section 69 (suspension of registration), in so far as it is not already in force,

section 70 (voluntary removal from register),

section 72 (protection of children in an emergency),

section 73 (procedure for taking certain steps),

section 74 (appeals), in so far as it is not already in force,

section 77 (powers of entry)<sup>(7)</sup>,

section 78 (requirement for consent to entry),

section 79 (power of constable to assist in exercise of powers of entry)<sup>(8)</sup>,

section 82 (supply of information to Chief Inspector),

section 83 (supply of information to HMRC and local authorities), in so far as it is not already in force,

section 84 (disclosure of information for certain purposes), in so far as it is not already in force,

section 85 (offence of making false or misleading statement),

section 86 (time limit for proceedings),

section 87 (offences by bodies corporate),

section 88 (unincorporated associations),

section 90 (cases where consent to disclosure withheld), in so far as it is not already in force,

section 91 (co-operation between authorities),

section 93 (notices),

section 94 (power to amend Part 3: applications in respect of multiple premises),

section 96 (meaning of early years and later years provision etc.), in so far as it is not already in force,

section 97 (employees not to be regarded as providing childcare),

paragraphs 2, 3, 19, 29(a), 37, 38, 39, 40 and 43 of Schedule 2 (and section 103(1) in so far as it relates to those paragraphs),

section 103(2) to the extent that it relates to the provision of Schedule 3 specified below—

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(6) For the definition of “the Chief Inspector” see section 98(1) of the Childcare Act 2006, as amended by paragraph 117 of Schedule 14 to the Education and Inspections Act 2006 (c. 40).

(7) Section 77 is amended by paragraph 113 of Schedule 14 to the Education and Inspections Act 2006.

(8) Section 79 is amended by paragraph 114 of Schedule 14 to the Education and Inspections Act 2006.

in Schedule 3 the repeal in section 9(2) of the Protection of Children Act 1999<sup>(9)</sup> of the word “or” there specified.

**Provision of the Act coming into force on 1st May 2007**

5. Section 12 of the Act (duty to provide information, advice and assistance) comes into force on 1st May 2007, in so far as it requires an English local authority to establish and maintain a service providing information relating to the provision of childcare in the area of the local authority by persons registered under Chapter 4 (voluntary registration) of Part 3 of the Act.

**Savings and transitional provisions**

6. The Schedule to this Order has effect for the purposes of making savings and transitional provisions in relation to the provisions to which it refers.

22nd March 2007

*Beverley Hughes*  
Minister of State  
Department for Education and Skills

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(9) 1999 c. 14.