

SCHEDULE 3

SAVINGS AND TRANSITIONAL PROVISIONS IN RESPECT OF PART XA OF AND SCHEDULE 9A TO THE 1989 ACT, AND PART 2 OF THE MEASURE

Applications for registration under Part XA of and Schedule 9A to the 1989 Act: undetermined applications

5.—(1) Where a person has applied for registration as a child minder under section 79E of the 1989 (*applications for registration*) and, immediately before the relevant date, the Welsh Ministers have not granted or refused the person's application, the application is to be determined as if it had been made under section 24 of the Measure (*applications for registration: child minding*).

(2) Where a person has applied for registration as a provider of day care under section 79E of the 1989 Act and, immediately before the relevant date, the Welsh Ministers have not granted or refused the person's application, the application is to be determined as if it had been made under section 26 of the Measure (*applications for registration: day care for children*).

(3) Where this paragraph applies, the Welsh Ministers may only register that person if, had the application been made under Part 2 of the Measure, the Welsh Ministers would have been required by section 24 or, as the case may be, section 26 of the Measure, to grant the application.