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STATUTORY INSTRUMENTS

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**2017 No. 768**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**The Childcare (Fees) (Amendment) Regulations 2017**

<i>Made</i>	- - - -	<i>18th July 2017</i>
<i>Laid before Parliament</i>		<i>20th July 2017</i>
<i>Coming into force</i>	- -	<i>1st September 2017</i>

The Secretary of State, in exercise of the powers conferred by sections 89(1) and 104(2) of the Childcare Act 2006(1), makes the following Regulations.

**Citation and commencement**

1. These Regulations may be cited as the Childcare (Fees) (Amendment) Regulations 2017 and come into force on 1st September 2017.

**Amendment to Childcare (Fees) Regulations 2008**

2. In paragraph (7) of regulation 10 (annual fee for other early years providers registered in the early years register) of the Childcare (Fees) Regulations 2008(2), for “2017” substitute “2019”.

Signed by authority of the Secretary of State for Education

18th July 2017

*Robert Goodwill*  
Minister of State  
Department for Education

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(1) [2006 c.21](#). Section 89(1) was amended by paragraph 58 of Schedule 4 to the Children and Families Act [2014 \(c.6\)](#). See section 106 for the definition of “prescribed” and “regulations”.

(2) [S.I. 2008/1804](#); relevant amending instruments are [S.I. 2010/307](#) and [S.I. 2015/1562](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under the Childcare Act 2006 (c.21) (“the 2006 Act”). These Regulations amend regulation 10(7) of the Childcare (Fees) Regulations 2008 (S.I. 2008/1804). The effect of the amendment is to extend an existing transitional provision, which applies to childcare providers (other than childminders) who transferred automatically from the childcare register under Part 10A of the Children Act 1989 (c.41) to the early years register under the 2006 Act on 1st September 2008. The transitional provision means that the threshold between the annual fee rates set out in regulation 10(2) and (3) is based on a period of 4 hours (rather than 3 hours). This amendment has the effect of extending the transitional provision until 31st August 2019, enabling early years providers who were registered prior to 2008 to benefit from a fees rate of £50 where they are operating for a period of less than 4 hours per day.