STATUTORY INSTRUMENTS

2010 No. 301

CHILDREN AND YOUNG PERSONS, ENGLAND

The Local Authority (Duty to Secure Early Years Provision Free of Charge) (Amendment) Regulations 2010

Made - - - -	*9th February 2010*
Laid before Parliament	*17th February 2010*
Coming into force - -	*1st September 2010*

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by sections 7 and 104(2) of the Childcare Act 2006(**a**):

Citation and commencement

1. These Regulations may be cited as the Local Authority (Duty to Secure Early Years Provision Free of Charge) (Amendment) Regulations 2010 and come into force on 1st September 2010.

Amendment to the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2008

2. The Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2008(**b**) are amended as follows.

3. For regulation 3, substitute—

> **"Prescribed Periods**
>
> **3.**—(1) For the purposes of section 7(1) of the Act, an English local authority must secure that prescribed early years provision is available for each young child for a period of 570 hours in any year and during no fewer than 38 weeks in any year.
>
> (2) For the purposes of paragraph (1) the first year commences on the date referred to in regulation 4(2) applicable to the child in question, and subsequent years commence on the anniversary of that date."

Dawn Primarolo
Minister of State
9th February 2010 Department for Children, Schools and Families

(**a**) 2006 c. 21; see section 21 for the definition of "prescribed".
(**b**) S.I. 2008 / 1724.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2008 ("the Principal Regulations"). Regulation 3 of the Principal Regulations prescribes the periods during which an English local authority must ensure that prescribed early years provision is available free of charge. The effect of the amendment to regulation 3 is to increase the amount of free early years provision which a local authority must secure for each child to 570 hours per year, which must be available over a minimum of 38 weeks during the year. This free early years provision is available to a child for the 2 years prior to the child attaining compulsory school age. A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.

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