

---

STATUTORY INSTRUMENTS

---

**2008 No. 1743**

The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008

PART 2

Exemptions in respect of early years providers

**Prescribed circumstances relating to principles governing the early years provision**

3. The circumstances referred to in regulation 2(a) are that—
- (a) the early years provider has requested a direction under regulation 2;
  - (b) the majority of the parents of children for whom the early years provision is provided agree that the direction should be requested;
  - (c) the early years provider is unable to secure that the early years provision meets one or more of the learning and development requirements because the early years provision is governed by established principles relating to the learning and development of young children<sup>(1)</sup> which cannot be reconciled with those learning and development requirements; and
  - (d) the early years provider has sought the views of the relevant local authority as to whether the direction should be requested.

---

<sup>(1)</sup> For the meaning of “young child”, by virtue of section 98(1) of the 2006 Act, see section 19 of that Act.