
STATUTORY INSTRUMENTS

2013 No. 3193

The Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2013

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2013 and come into force on 1st September 2014.

(2) In these Regulations—

“the 2006 Act” means the Childcare Act 2006;

“eligible child” means a young child—

- (a) who is within section 512ZB(4) of the Education Act 1996(1);
- (b) whose parent (within the meaning given by section 6(6) of the 2006 Act) is entitled to working tax credit under Part 1 of the Tax Credits Act 2002(2) by virtue of an award which is based on an annual income not exceeding £16,190;
- (c) who has a statement of special educational needs made under section 324 of the Education Act 1996(3);
- (d) who is entitled to disability living allowance under section 71 of the Social Security Contributions and Benefits Act 1992(4);
- (e) who is looked after by a local authority under section 22(1) of the Children Act 1989(5); or
- (f) who has previously been looked after by the local authority under section 22(1) of the Children Act 1989 and is no longer so looked after as a result of the making of one of the following orders—
 - (i) an adoption order within the meaning given by section 46(1) of the Adoption and Children Act 2002(6);
 - (ii) a special guardianship order within the meaning given by section 14A(1) of the Children Act 1989(7);
 - (iii) a residence order within the meaning given by section 8(1) of the Children Act 1989;

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- (1) 1996 c. 56. This section was substituted, together with sections 512 and 512ZA, for section 512 as originally enacted by section 201(1) of the Education Act 2002 (c. 32) and amended by paragraph 16 of Schedule 3 to the Welfare Reform Act 2007 (c. 5), by section 26 of the Child Poverty Act 2010 (c. 9) and by paragraph 39 of Schedule 2 to the Welfare Reform Act 2012 (c. 5).
 - (2) 2002 c. 21.
 - (3) Section 324 was amended by paragraph 77 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31), by section 9 of the Special Educational Needs and Disability Act 2001 (c. 10) and by paragraph 43 of Schedule 21 to the Education Act 2002 (c. 32).
 - (4) 1992 c. 4. Section 71 was amended by section 67 of the Welfare Reform and Pensions Act 1999 (c. 30).
 - (5) 1989 c. 41. Section 22(1) was amended by paragraph 19 of Schedule 5 to the Local Government Act 2000 (c. 22), by section 2(2) of the Children (Leaving Care) Act 2000 (c. 35) and by section 116(2) of the Adoption and Children Act 2002 (c. 38).
 - (6) 2002 c. 38.
 - (7) Section 14A was inserted by section 115(1) of the Adoption and Children Act 2002 (c. 38).

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

“term” means a term the dates of which have been set under section 32 of the Education Act 2002(8).