

## STATUTORY INSTRUMENTS

# 2022 No. 1134

## The Childcare (Free of Charge for Working Parents) (England) Regulations 2022

### PART 6

#### Duties of English local authorities

##### *Childcare for qualifying children of working parents*

#### **Duty to secure childcare available free of charge**

**44.**—(1) An English local authority must secure that childcare is made available free of charge for every child in its area who is a qualifying child of working parents.

(2) The childcare must be—

- (a) provided by a childcare provider, and
- (b) made available for 570 hours during no fewer than 38 weeks in each year.

[<sup>F1</sup>(3) In determining, for the purposes of paragraph (1), the amount of childcare that is available to a child, account is to be taken of any childcare available under the duty imposed by section 7(1) of the Childcare Act 2006 (duty of English local authorities to secure early years provision free of charge in accordance with regulations)—

- (a) during the period beginning with 1st April 2024 and ending with 31st August 2025, in respect of a young child who meets the condition in regulation 3(2), but who does not also meet the condition in regulation 3(3), of the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2014 (prescribed description of a young child), and
- (b) from 1st September 2025, in respect of a young child who meets the condition in regulation 3(2) or (3) of the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2014.]

#### **Textual Amendments**

- F1** Reg. 44(3) inserted (1.1.2024) by [The Childcare \(Free of Charge for Working Parents\) \(England\) \(Amendment and Transitional Provision\) Regulations 2023 \(S.I. 2023/1330\)](#), regs. 1(2), **2(8)(b)**

#### **Commencement Information**

- II** Reg. 44 in force at 1.12.2022, see [reg. 1\(b\)](#)

**Changes to legislation:**

The Childcare (Free of Charge for Working Parents) (England) Regulations 2022, Section 44 is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- reg. 44(2)(b) word substituted by [S.I. 2023/1330 reg. 2\(8\)\(a\)](#)