
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 67

EDUCATION

**The Provision of Early Learning and Childcare
(Specified Children) (Scotland) Amendment Order 2021**

Made - - - - *8th February 2021*

Coming into force - - *1st August 2023*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 47(2) (c)(ii) and (4) of the Children and Young People (Scotland) Act 2014⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 99(2) of that Act a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2021 and comes into force on 1 August 2023.

Amendment

2.—(1) The Provision of Early Learning and Childcare (Specified Children) (Scotland) Order 2014⁽²⁾ is amended in accordance with paragraphs (2) and (3).

(2) In article 2 (description of eligible pre-school child)—

(a) for paragraph (1), substitute—

“(1) A child is of a specified description if the child has attained the starting point for 3 year olds.”,

(b) omit paragraph (6).

(3) Article 3 (circumstances in which child not eligible) is omitted.

(1) 2014 asp 8.

(2) S.S.I. 2014/196, to which there are amendments not relevant to this Order.

Status: This is the original version (as it was originally made).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

St Andrew's House,
Edinburgh
8th February 2021

MAREE TODD
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Provision of Early Learning and Childcare (Specified Children) (Scotland) Order 2014 ([S.S.I. 2014/196](#)) (“the 2014 Order”). The 2014 Order specifies those children who are eligible pre-school children for the purposes of section 47(2)(c)(ii) of the Children and Young People (Scotland) Act 2014 ([asp 8](#)) and who are entitled to the mandatory amount of early learning and childcare (as defined in section 48 of that Act). This Order removes the exception from eligibility for children whose birthday falls in the period beginning on 1 August and ending on 31 December and who turn 5 years old after the start of the school year.