



Childcare Act 2016

2016 CHAPTER 5

Availability of free childcare

3 Sections 1 and 2: consequential amendments

- (1) In section 99 of the Childcare Act 2006 (provision of information about young children: England), in subsection (1), omit the “and” at the end of paragraph (aa) and after paragraph (b) insert “, and
 - (c) any other person who provides early years provision for the purposes of section 1(1) of the Childcare Act 2016 (Secretary of State’s duty to secure 30 hours free childcare available for working parents),”.
- (2) In Chapter 4 of Part 2 of the School Standards and Framework Act 1998 (financing of maintained schools)—
 - (a) in section 45A (determination of specified budgets of local authority), after subsection (4B) insert—

“(4C) For the purposes of this Part, a duty imposed on a local authority in England under section 2 of the Childcare Act 2016 (duties in connection with Secretary of State’s duty to secure 30 hours free childcare for working parents) is also to be treated as an education function of the authority.”;
 - (b) in section 47ZA (free of charge early years provision outside a maintained school: budgetary framework: England), in subsection (3), for paragraph (a) (but not the “and” after it) substitute—

“(a) for the purpose of the discharge of—
 - (i) the authority’s duty under section 7 of the Childcare Act 2006, or
 - (ii) a duty imposed on the authority under section 2 of the Childcare Act 2016,”.