

2016 No. 1055

CHILDREN AND YOUNG PERSONS, ENGLAND

**The Childcare Act 2016 (Commencement No. 1) Regulations
2016**

Made - - - -

1st November 2016

The Secretary of State, in exercise of the powers conferred by section 7(2) of the Childcare Act 2016(a), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Childcare Act 2016 (Commencement No. 1) Regulations 2016.

Provisions coming into force on 3rd November 2016

2. The following provisions of the Childcare Act 2016 come into force on 3rd November 2016 –
- (a) subsections (2), (3), (4), (7), (8) and (9) of section 1 (duty to secure 30 hours free childcare available for working parents);
 - (b) section 2 (discharging the section 1(1) duty);
 - (c) section 3 (sections 1 and 2: consequential amendments);
 - (d) section 4 (supplementary provision about regulations under sections 1 and 2); and
 - (e) section 5 (duty to publish information about childcare and related matters).

Signed by authority of the Secretary of State for Education

1st November 2016

Caroline Dinéage
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Commencement Regulations are made under the Childcare Act 2016 (c.5) (“the Act”). Certain provisions came into force on the passing of the Act. These Regulations bring into force all the provisions of the Act which are not already in force with the exception of sections 1(1) and 1(6) of the Act (which relate to the Secretary of State’s duty to secure 30 hours of free childcare for working parents).

Regulation 2 commences the following provisions of the Act on 3rd November 2016:

- sections 1(2) and (3), which set out some aspects of what is meant by “qualifying child of working parents”;
- section 1(4), which enables the Secretary of State to make regulations setting out further descriptions of children and conditions to be met by a parent and a partner of a parent;
- sections 1(7), (8) and (9), which require the Secretary of State to make regulations setting out when a year begins for the purposes of subsection (1) of section 1 (duty to secure 30 hours free childcare available for working parents), enable the Secretary of State to make regulations concerning the circumstances in which a child is not in England for the purposes of section 1 and define certain terms for the purposes of section 1;
- section 2, which enables the Secretary of State to make regulations for the purposes of discharging the duty imposed by subsection (1) of section 1 of the Act (“extended entitlement regulations”);
- section 3, which makes certain consequential amendments to section 99 of the Childcare Act 2006 (provision of information about young children: England) and Chapter 4 of Part 2 of the School Standards and Framework Act 1998 (financing of maintained schools);
- section 4, which makes supplementary provisions about regulations under section 1 and 2 of the Act; and
- section 5, which amends section 12 of the Childcare Act 2006 in relation to the duty to publish information about childcare and related matters.

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