
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2014 No.

**The Provision of Early Learning and Childcare
(Specified Children) (Scotland) Order 2014**

Description of children entitled to be provided with mandatory amount of early learning and childcare

- 2.—(1) A child is of a specified description if the child—
- (a) has attained the starting point for 3 year olds; and
 - (b) does not fall within paragraph (6).
- (2) A child is of a specified description if—
- (a) the child has attained the starting point for 2 year olds but has not attained the starting point for 3 year olds; and
 - (b) the child’s parent is in receipt of one or more qualifying benefits on the day on which the child attains the starting point for 2 year olds.
- (3) A child is of a specified description if—
- (a) the child has attained the starting point for 2 year olds but has not attained the starting point for 3 year olds; and
 - (b) the child’s parent starts receiving one or more qualifying benefits after the starting point for 2 year olds.
- (4) Where paragraph (3) of this article applies the child shall be of a specified description from the first day of the term of the school year commencing immediately after the child’s parent first receives one or more qualifying benefits.
- (5) A child shall remain of a specified description by virtue of paragraphs (2) and (3) of this article notwithstanding that a child’s parent ceases to be in receipt of one or more qualifying benefits.
- (6) A child falls within this paragraph where—
- (a) the child’s birthday falls in the period beginning on 1st August and ending on 31st December; and
 - (b) the date of commencement of the school year in the year of the child’s fifth birthday has been reached.