

*These notes refer to the Childcare Act 2006 (c.21)
which received Royal Assent on 11 July 2006*

CHILD CARE ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 1: General Functions of Local Authority: England

Section 7: Duty to secure prescribed early years provision free of charge

43. [Section 7](#) replaces for English local authorities the duty to secure sufficient nursery education contained in section 118 of the School Standards and Framework Act 1998.
44. [Section 7\(1\)](#) places a duty on local authorities to ensure that certain early years provision is available free of charge for each young child in their area who has attained a prescribed age but is under compulsory school age. The section allows the Secretary of State to prescribe in regulations the type and amount of early years provision.
45. [Section 7\(2\)](#) requires a local authority to have regard to guidance issued by the Secretary of State when discharging their duty.