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STATUTORY INSTRUMENTS

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**2002 No. 2466**

**EDUCATION, ENGLAND**

**The Education (Nursery Education and Early Years Development) (England) (Amendment) Regulations 2002**

<i>Made</i>	- - - -	<i>25th September 2002</i>
<i>Laid before Parliament</i>		<i>27th September 2002</i>
<i>Coming into force</i>	- -	<i>21st October 2002</i>

In exercise of the powers conferred on the Secretary of State by sections 120(1) and (3), 121(1) and (9) and 138(8) of the School Standards and Framework Act 1998<sup>(1)</sup>, the Secretary of State for Education and Skills hereby makes the following Regulations:

**Citation, commencement and interpretation**

1. These Regulations may be cited as the Education (Nursery Education and Early Years Development) (England) (Amendment) Regulations 2002 and shall come into force on 21st October 2002.

**Amendment of the Education (Nursery Education and Early Years Development) (England) Regulations**

2. The Education (Nursery Education and Early Years Development) (England) Regulations 1999<sup>(2)</sup> shall be amended in accordance with regulations 3 to 5 of these Regulations.

3. In regulation 1(3), in the definition of 'the partnership', after "development" the words "and childcare" shall be inserted.

4.—(1) In regulation 3, after the word "development" each time it appears the words "and childcare" shall be inserted.

(2) In regulation 3(2)(a), the words "three year period commencing on 1st April 2000" shall be omitted and the words "one year period commencing on 1st April 2003" substituted.

(3) In regulation 3(2)(b), the word "three" shall be omitted and the word "one" substituted.

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<sup>(1)</sup> 1998 c. 31, Sections 120(1) and 121(1) and (9) were amended by section 150 of the Education Act 2002 c. 32.

<sup>(2)</sup> S.I.1999/1329.

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**Status:** This is the original version (as it was originally made).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

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5.—(1) In regulation 4, after the word “development” each time it appears the words “and childcare” shall be inserted.

(2) In regulation 4(1), the word “2000” shall be omitted and the word “2003” substituted.

(3) In regulation 4(3), the words “statement of proposals” shall be omitted each time they appear and the word “plan” substituted.

25th September 2002

*Catherine Ashton*  
Parliamentary Under Secretary of State,  
Department for Education and Skills

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (Nursery Education and Early Years Development) (England) Regulations 1999 which set out the minimum age in relation to which a local education authority must secure sufficient provision of nursery education for their area and make provision in connection with the early years development plan which each authority is required to prepare.

The amendment in regulation 3 reflects the renaming of the early years development partnership which each local education authority is required to establish as the early years development and childcare partnership.

The amendments in regulations 4(1) and 5(1) reflect the change in name of the early years development plans to early years development and childcare plans.

The amendment in regulation 4(2) requires the statement of proposals on nursery education in the first early years development and childcare plan to relate to the year commencing on 1st April 2003 whilst the amendment in regulation 4(3) provides that the period covered by the statement of proposals in a subsequent plan shall also be one year.

The amendment in 5(2) requires the first early years development and childcare plan to be submitted to the Secretary of State by 1st February 2003.

The amendment in regulation 5(3) reflects the new requirement that the local education authority submit the whole of its plan, not just its statement of proposals on nursery education, to the Secretary of State for approval or modification.