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STATUTORY INSTRUMENTS

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**2008 No. 785 (C. 35)**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**The Childcare Act 2006 (Commencement No. 4) Order 2008**

*Made - - - - 19th March 2008*

The Secretary of State for Children, Schools and Families makes the following Order in exercise of the powers conferred by section 109(2) of the Childcare Act 2006<sup>(1)</sup>:

**Citation**

1. This Order may be cited as the Childcare Act 2006 (Commencement No. 4) Order 2008.

**Provisions of the Childcare Act 2006 coming into force on 1st April 2008**

2. The following provisions of the Childcare Act 2006 come into force on 1st April 2008—
  - (a) sections 1 (general duties of local authority in relation to well-being of young children) and 12 (duty to provide information, advice and assistance) in so far as they are not already in force;
  - (b) sections 2 (meaning of “early childhood services” for purposes of section 3), 3 (specific duties of local authority in relation to early childhood services), 4 (duty of local authority and relevant partners to work together) and 6 (duty to secure sufficient childcare for working parents);
  - (c) section 7 (duty to secure prescribed early years provision free of charge) for the purposes of making regulations.

19th March 2008

*Beverley Hughes*  
Minister of State  
Department for Children, Schools and Families

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<sup>(1)</sup> 2006 c. 21. The power is exercisable, as respects section 110(2), by the Secretary of State.

**Status:** This is the original version (as it was originally made).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

## EXPLANATORY NOTE

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

This is the fifth Commencement Order made under the Childcare Act 2006 (“the Act”). The first three Commencement Orders brought provisions of the Act into force in relation to England. The fourth Commencement Order brought provisions of the Act into force in relation to Wales.

Article 2 brings provisions in Part 1 (general functions of local authority: England) of the Act into force on 1st April 2008.

Article 2(a) commences sections 1 (general duties of local authority in relation to well-being of young children) and 12 (duty to provide information, advice and assistance) in so far as they are not already in force.

Article 2(b) commences sections 2 (meaning of “early childhood services” for purposes of section 3), 3 (specific duties of local authority in relation to early childhood services), 4 (duty of local authority and relevant partners to work together) and 6 (duty to secure sufficient childcare for working parents).

Article 2(c) commences section 7 (duty to secure prescribed early years provision free of charge) for the purposes of making regulations.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Act have been brought into force in relation to England by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 8	1st October 2007	<a href="#">2007/2717</a>
Section 9	1st October 2007	<a href="#">2007/2717</a>
Section 10	1st October 2007	<a href="#">2007/2717</a>
Section 11 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 11 (remainder)	1st April 2007	<a href="#">2007/1019</a>
Section 12 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 12 (partially)	1st May 2007	<a href="#">2007/1019</a>
Section 13 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 13 (remainder)	1st October 2007	<a href="#">2007/2717</a>
Section 15	1st April 2007	<a href="#">2007/1019</a>
Section 16	1st April 2007	<a href="#">2007/1019</a>
Section 17	1st October 2007	<a href="#">2007/2717</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 18	20th December 2006	<a href="#">2006/3360</a>
Section 19	20th December 2006	<a href="#">2006/3360</a>
Section 20	20th December 2006	<a href="#">2006/3360</a>
Section 21	20th December 2006	<a href="#">2006/3360</a>
Section 32 (partially)	6th April 2007	<a href="#">2007/1019</a>
Section 33 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 34 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 35 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 36 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 37 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 39	20th December 2006	<a href="#">2006/3360</a>
Section 41	20th December 2006	<a href="#">2006/3360</a>
Section 42	20th December 2006	<a href="#">2006/3360</a>
Section 43	20th December 2006	<a href="#">2006/3360</a>
Section 44	20th December 2006	<a href="#">2006/3360</a>
Section 45	20th December 2006	<a href="#">2006/3360</a>
Section 46	20th December 2006	<a href="#">2006/3360</a>
Section 48 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 49 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 50 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 51	1st October 2007	<a href="#">2007/2717</a>
Section 52 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 53 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 54 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 55 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 56 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 59 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 60 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 61 (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 62 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 62 (partially)	6th April 2007	<a href="#">2007/1019</a>
Section 63 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 63 (partially)	6th April 2007	<a href="#">2007/1019</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 64 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 64 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 66	6th April 2007	<a href="#">2007/1019</a>
Section 67 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 67 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 68	6th April 2007	<a href="#">2007/1019</a>
Section 69 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 69 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 70	6th April 2007	<a href="#">2007/1019</a>
Section 71	20th December 2006	<a href="#">2006/3360</a>
Section 72	6th April 2007	<a href="#">2007/1019</a>
Section 73	6th April 2007	<a href="#">2007/1019</a>
Section 74 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 74 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 75	20th December 2006	<a href="#">2006/3360</a>
Section 77	6th April 2007	<a href="#">2007/1019</a>
Section 78	6th April 2007	<a href="#">2007/1019</a>
Section 79	6th April 2007	<a href="#">2007/1019</a>
Section 82	6th April 2007	<a href="#">2007/1019</a>
Section 83 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 83 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 84 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 84 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 85	6th April 2007	<a href="#">2007/1019</a>
Section 86	6th April 2007	<a href="#">2007/1019</a>
Section 87	6th April 2007	<a href="#">2007/1019</a>
Section 88	6th April 2007	<a href="#">2007/1019</a>
Section 89	20th December 2006	<a href="#">2006/3360</a>
Section 90 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 90 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 91	6th April 2007	<a href="#">2007/1019</a>
Section 92 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 93	6th April 2007	<a href="#">2007/1019</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 94	6th April 2007	<a href="#">2007/1019</a>
Section 96 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 96 (remainder)	6th April 2007	<a href="#">2007/1019</a>
Section 97	6th April 2007	<a href="#">2007/1019</a>
Section 98	20th December 2006	<a href="#">2006/3360</a>
Section 99 (partially)	20th December 2006	<a href="#">2006/3360</a>
Section 99 (remainder)	30th March 2007	<a href="#">2007/1019</a>
Section 100	20th December 2006	<a href="#">2006/3360</a>
Section 102	20th December 2006	<a href="#">2006/3360</a>
Section 103(1) (partially)	1st April 2007 and 6th April 2007	<a href="#">2007/1019</a>
Section 103(1) (partially)	1st October 2007	<a href="#">2007/2717</a>
Section 103(2) (partially)	1st April 2007 and 6th April 2007	<a href="#">2007/1019</a>
Schedule 1, paragraph 2(1), (3) and (5)	1st October 2007	<a href="#">2007/2717</a>
Schedule 2, paragraph 31	1st April 2007	<a href="#">2007/1019</a>
Schedule 2, paragraphs 2, 3, 19, 29(a), 37, 38, 39, 40 and 43	6th April 2007	<a href="#">2007/1019</a>
Schedule 2, paragraphs 4 and 32	1st October 2007	<a href="#">2007/2717</a>
Schedule 3 Part 2 (partially)	1st April 2007 and 6th April 2007	<a href="#">2007/1019</a>
Schedule 3 Part 2 (partially)	1st October 2007	<a href="#">2007/2717</a>