
STATUTORY INSTRUMENTS

2016 No. 1257

The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016

PART 5

Consequential amendments

Education Act 1996

- 40.**—(1) The Education Act 1996(1) is amended as follows.
- (2) In section 451(2A) (prohibition of charges for provision of education)—
- (a) at the end of paragraph (a) omit the “or”; and
 - (b) at the end of paragraph (b) insert—
 - “or
 - (c) early years provision provided under arrangements made by a local authority in pursuance of any duty imposed under section 2 of the Childcare Act 2016 (whether or not the local authority provides the early years provision).”
- (3) In section 509A(5)(a) (local authorities in England: travel arrangements for children receiving early years education otherwise than at school)—
- (a) the wording from “provided under arrangements” to the end becomes sub-paragraph (i); and
 - (b) at the end of sub-paragraph (i) insert—
 - “or
 - (ii) provided under arrangements made by a local authority in pursuance of any duty imposed under section 2 of the Childcare Act 2016 (whether or not the local authority provides the early years provision).”
- (4) In section 548(8)(a) (no right to give corporal punishment)—
- (a) the wording from “provided under arrangements” to the end becomes sub-paragraph (i); and
 - (b) at the end of sub-paragraph (i) insert—
 - “or
 - (ii) provided under arrangements made by a local authority in pursuance of any duty imposed under section 2 of the Childcare Act 2016 (whether or not the local authority provides the early years provision).”

(1) 1996 c. 56. Section 451(2A) was inserted by section 17 of the Childcare Act 2006 (c. 21). Section 509A was inserted by section 124 of the School Standards and Framework Act 1998 (c. 31) and subsection (5)(a) was amended by paragraph 23 of Schedule 2 to the Childcare Act 2006. Section 548(8) was amended by [S.I. 2010/1158](#).

School Standards and Framework Act 1998

41. In the School Standards and Framework Act 1998(2), in section 123(4)(a) (children with special educational needs)—

- (a) the wording from “provided under arrangements” to the end becomes sub-paragraph (i); and
- (b) at the end of sub-paragraph (i) insert—
 - “or
 - (ii) provided under arrangements made by a local authority in pursuance of any duty imposed under section 2 of the Childcare Act 2016 (whether or not the local authority provides the early years provision);”.

Children Act 2004

42.—(1) The Children Act 2004(3) is amended as follows.

(2) In section 18(2) (director of children’s services)—

- (a) at the end of paragraph (e) omit the “and”; and
- (b) at the end of paragraph (f) insert—

“and

- (g) any function conferred on the authority under section 2 of the Childcare Act 2016.”.

(3) In section 23(3) (sections 20 to 22: interpretation)—

- (a) at the end of paragraph (c) omit the “and”; and
- (b) at the end of paragraph (d) insert—

“and

- (e) any function conferred on a local authority under section 2 of the Childcare Act 2016.”

Education and Inspections Act 2006

43. In the Education and Inspections Act 2006(4), in section 135(1) (functions to which this Chapter applies and related activities)—

- (a) at the end of paragraph (e) omit the “and”; and
- (b) after paragraph (e) insert—

“(ea) any function conferred on the local authority under section 2 of the Childcare Act 2016; and”.

(2) 1998 c. 31. Section 123(4) was amended by paragraph 34 of Schedule 2 to the Childcare Act 2006.

(3) 2004 c. 31. Section 18(2) and 23(3) were amended by section 16 of, and paragraph 1 of Schedule 3 to, the Childcare Act 2006, section 194 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and S.I. 2010/1158 and section 18(2) by paragraph 264 of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (c. 43).

(4) 2006 c. 40. Section 135(1) was amended by S.I. 2010/1158.