
STATUTORY INSTRUMENTS

2016 No. 1257

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

PART 4

Local authorities' duty to secure early years provision

Availability of early years provision

35.—(1) The provision must be available for a period of 570 hours in any year and during no fewer than 38 weeks in any year.

(2) For the purposes of paragraph (1), and section 1(1) of the Act, the first year commences on the date specified in paragraph (3) applicable to the child in question, and subsequent years commence on the anniversary of that date.

(3) The date is—

(a) 1st April following the later of—

(i) the date of a child's third birthday; and

(ii) the date on which the determination in paragraph (4) in respect of that child is made, where the later of those two dates is in the period 1st January to 31st March;

(b) 1st September following the later of—

(i) the date of a child's third birthday; and

(ii) the date on which the determination in paragraph (4) in respect of that child is made, where the later of those two dates is in the period 1st April to 31st August;

(c) 1st January following the later of—

(i) the date of a child's third birthday; and

(ii) the date on which the determination in paragraph (4) in respect of that child is made, where the later of those two dates is in the period 1st September to 31st December.

(4) For the purposes of paragraph (3), "the determination" is the first determination that the criteria in section 1(2)(b), (c) and (d) of the Act are met in relation to a child made by—

(a) the Commissioners under regulation 17 or 21(6)(c); or

(b) the Tribunal under regulation 24(4).