

These notes refer to the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (c.2) which received Royal Assent on 24 January 2018

ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL (WALES) ACT 2018

EXPLANATORY NOTES

COMMENTARY ON SECTIONS OF THE ACT

Part 2 – Additional Learning Needs **Chapter 3 – Supplementary Functions**

Miscellaneous functions

Section 65 - Duties to provide information and other help

145. **Section 65** provides that when local authorities request information or other help from certain persons in order to exercise their functions under Part 2, those requests are complied with, except in the circumstances set out in subsection (2). The persons who are subject to this duty are listed in sub-section (4) and are all public bodies or other persons exercising public functions.
146. Such a person can decline to comply with the request for help or information if they consider that it is incompatible with their own duties or would have an adverse effect on the exercise of their functions (subsection (2)). However, if the person does not comply with such a request for help or information, they must provide their reasons for refusing the request to the local authority in writing (subsection (3)).
147. Subsection (5) allows for regulations to set out a period within which the person must comply with a request, and for exceptions to apply to the requirement to comply within this period.