



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 2

INDIVIDUAL DEVELOPMENT PLANS

Necessity of plans

46 Regulations about deciding whether an individual development plan is necessary

(1) Regulations under this section apply to the following provisions and decisions made under them—

- (a) section 14(1)(c)(ii);
- (b) section 31(6)(b);
- (c) section 40(2)(b).

(2) Regulations may—

- (a) specify factors to be taken into account in assessing whether it is necessary to prepare or maintain a plan;
- (b) specify circumstances in which it is, or is not, necessary to prepare or maintain a plan;
- (c) provide for what are, and what are not, to be considered reasonable needs for education or training (whether in specifying factors, specifying circumstances or otherwise);
- (d) make further provision about the definition of “education or training”;
- (e) make provision about the process for making decisions.

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Cross Heading:
Necessity of plans is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II S. 46 in force at 2.11.2020 by [S.I. 2020/1182](#), [reg. 2\(e\)](#)

Changes to legislation:

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Cross Heading: Necessity of plans is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) coming into force by [S.I. 2021/381 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/381 revoked (12.8.2021) by S.I. 2021/938, art. 3)
- specified provision(s) coming into force by [S.I. 2021/383 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/383 revoked (12.8.2021) by S.I. 2021/938, art. 4)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(3)(ca)(cb) inserted by [2022 asc 1 Sch. 4 para. 39\(2\)](#)
- s. 5(1)(da) inserted by [2022 asc 1 Sch. 4 para. 39\(3\)](#)
- s. 65(4)(da)(db) inserted by [2022 asc 1 Sch. 4 para. 39\(5\)](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) coming into force by [S.I. 2022/893 art. 2\(o\)\(xi\)](#)