



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 2

INDIVIDUAL DEVELOPMENT PLANS

Additional learning provision for detained persons

43 Release of a detained person

- (1) Subsection (2) applies where—
 - (a) a detained person is released,
 - (b) on the release date, a local authority in Wales is responsible for the person, and
 - (c) an individual development plan was kept for the person under section 42 during the detention.
- (2) The local authority must maintain the plan; and the plan is to be treated as maintained under section 14 for the purposes of this Part, with any provision described in the plan in accordance with section 19(4) or 40(7) being treated as described in accordance with section 14(6).
- (3) But subsection (4) applies instead of subsection (2) if—
 - (a) the person who has been released is a child, and
 - (b) immediately on release, the child is looked after by a local authority.
- (4) The local authority that looks after the child must maintain the plan; and the plan is to be treated as maintained under section 19 for the purposes of this Part, with any

Status: Point in time view as at 21/08/2023.

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 43 is up to date with all changes known to be in force on or before 23 May 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)

provision described in the plan in accordance with section 14(6) or 40(7) being treated as described in accordance with section 19(4).

Commencement Information

- I1** S. 43 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 3, 4** (as amended by [S.I. 2021/938](#), **art. 2(3)**)
- I2** S. 43 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **art. 5**
- I3** S. 43 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 6, 7** (as amended by [S.I. 2021/938](#), **art. 2(4)(5)**)
- I4** S. 43 in force at 1.1.2022 for specified purposes by [S.I. 2021/1243](#), **art. 3(e)** (with **arts. 4-23**) (as amended by [S.I. 2021/1428](#), **art. 2**; (10.6.2022) by [S.I. 2022/663](#), **art. 2** and (21.8.2023) by [S.I. 2023/932](#), **art. 2**)
- I5** S. 43 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244](#), **art. 3(e)** (with **arts. 4-21**) (as amended by [S.I. 2021/1428](#), **art. 3**; and (10.6.2022) by [S.I. 2022/663](#), **art. 3** and (21.8.2023) by [S.I. 2023/932](#), **art. 3**)
- I6** S. 43 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245](#), **arts. 3(e), 4** (with **art. 1(4)**)
- I7** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/891](#), **art. 3(e)** (with **arts. 4-25**) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 4**)
- I8** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/896](#), **art. 3(e)** (with **arts. 4-22**) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 5**)
- I9** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/893](#), **art. 3** (with **art. 1(2)**)
- I10** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/893](#), **art. 4** (with **art. 1(2)**)
- I11** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/894](#), **art. 3(e)**
- I12** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/897](#), **art. 3(e)** (with **arts. 1(8), 4-21**) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 6**)
- I13** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/895](#), **arts. 3(e), 4**
- I14** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/892](#), **art. 3(e)** (with **arts. 2, 4-18**)
- I15** S. 43 in force at 1.9.2022 for specified purposes by [S.I. 2022/898](#), **arts. 2(e), 3**

Status:

Point in time view as at 21/08/2023.

Changes to legislation:

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