



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 1

KEY TERMS, CODE AND PARTICIPATION

Participation, United Nations conventions and access to information

8 Duty to have regard to the United Nations Convention on the Rights of Persons with Disabilities

- (1) A relevant body exercising functions under this Part in relation to a disabled child or young person must have due regard to the United Nations Convention on the Rights of Persons with Disabilities and its optional protocol adopted on 13 December 2006 by General Assembly resolution A/RES/61/106 and opened for signature on 30 March 2007 (“the Convention”).
- (2) The Convention is to be treated as having effect subject to any declaration or reservation made by the United Kingdom Government upon ratification, save where the declaration or reservation has subsequently been withdrawn.
- (3) Subsection (1) does not require specific consideration of the Convention on each occasion that a function is exercised.
- (4) A code issued under section 4 may make provision setting out what is required to discharge the duty in subsection (1); and subsection (1) is to be interpreted in accordance with any such provision.
- (5) In subsection (1), “relevant body” means—

Status: Point in time view as at 10/06/2022. This version of this provision has been superseded.

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 8 is up to date with all changes known to be in force on or before 15 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)

- (a) a local authority;
- (b) an NHS body.

Commencement Information

- I1** S. 8 in force at 2.11.2020 for specified purposes by [S.I. 2020/1182](#), **reg. 3(2)(b)**
- I2** S. 8 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)**)
- I3** S. 8 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. 8 in force at 1.1.2022 for specified purposes by [S.I. 2021/1243](#), **art. 3(b)** (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. 8 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244](#), **art. 3(b)** (with **arts. 4-21**) (as amended by [S.I. 2021/1428](#), **art. 3**; (10.6.2022) by [S.I. 2022/663](#), **art. 3** and (21.8.2023) by [S.I. 2023/932](#), **art. 3**)
- I6** S. 8 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245](#), **arts. 3(b), 4** (with **art. 1(4)**)

Status:

Point in time view as at 10/06/2022. This version of this provision has been superseded.

Changes to legislation:

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