



# 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*

### 39 Meaning of “detained person” and other key terms

(1) For the purposes of this Act—

“beginning of the detention” (“*dechrau’r cyfnod o gadw person yn gaeth*”) has the meaning given by section 562J of the [Education Act 1996 \(c. 56\)](#);

“detained person” (“*person sy’n cael ei gadw’n gaeth*”) means a child or young person who is—

(a) subject to a detention order (within the meaning given by section 562(1A)(a), (2) and (3) of the Education Act 1996), and

(b) detained in relevant youth accommodation in Wales or England,

and in provisions applying on a person’s release includes a person who, immediately before release, was a detained person;

“home authority” (“*awdurdod cartref*”) has the meaning given by section 562J of the Education Act 1996, subject to regulations under subsection (2);

“relevant youth accommodation” (“*llety ieuenctid perthnasol*”) has the meaning given by section 562(1A)(b) of the Education Act 1996.

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*Status: This is the original version (as it was originally enacted).*

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(2) Regulations may provide for—

- (a) paragraph (a) of the definition of “home authority” in section 562J(1) of the Education Act 1996 (the home authority of a looked after child) to apply with modifications for the purposes of this Part;
- (b) provision in regulations made by the Welsh Ministers under section 562J(4) of the Education Act 1996 to apply with or without modifications for the purposes of this Part.