



Learner Travel (Wales) Measure 2008

2008 nawm 2

Supplementary

19 Determination of ordinary residence in particular circumstances

- (1) If a person has no ordinary residence, that person is to be treated for the purposes of this Measure as being ordinarily resident at the place at which he or she is for the time being resident.
- (2) Subsections (3) to (6) apply to a child or young person who is either—
 - (a) a registered pupil at a school, or
 - (b) enrolled as a full-time student at an institution in the further education sector.
- (3) This subsection applies to a child or young person—
 - (a) whose parents are not living together, and
 - (b) who usually lives with more than one parent in the periods during which the child or young person receives education or training.
- (4) This subsection applies to a child or young person who usually lives with a parent and also at a children's home in the periods during which the child or young person receives education or training.
- (5) For the purposes of this Measure—
 - (a) a child or young person to whom subsection (3) applies is ordinarily resident at the places where each of his or her parents is ordinarily resident;
 - (b) a child or young person to whom subsection (4) applies is ordinarily resident at the children's home and the place where his or her parent is ordinarily resident.
- (6) But if there are more than two such places, the child or young person is ordinarily resident at the two places nearest—
 - (a) the school at which the child or young person is a registered pupil, or
 - (b) the institution in the further education sector at which the child or young person is enrolled as a full-time student.
- (7) In this section—

Changes to legislation: Learner Travel (Wales) Measure 2008, Section 19 is up to date with all changes known to be in force on or before 24 March 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](#)

- [^{F1}(a) “children’s home” means premises at which—
- (i) a care home service is provided wholly or mainly to children or young persons; or
 - (ii) a secure accommodation service is provided;
- and in this paragraph “care home service” and “secure accommodation service” have the meaning given in Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2);]
- (b) “parent” means a parent within the meaning of section 576(1) of the Education Act 1996 who is an individual.

Textual Amendments

- F1** S. 19(7)(a) substituted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **42**
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Commencement Information

- I1** S. 19 in force at 6.3.2009 by [S.I. 2009/371](#), **Sch. Pt. 1**

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Changes and effects yet to be applied to :

- s. 19 coming into force by [2008 nawm 2 s. 28\(2\)](#)

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

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

- s. 7(3)(a)(ai) inserted by [2022 asc 1 Sch. 4 para. 23\(3\)\(b\)](#)