



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 2

INDIVIDUAL DEVELOPMENT PLANS

Transfer of plans

36 Request to transfer plan to governing body of further education institution

- (1) This section applies where a local authority maintains an individual development plan for a young person who is enrolled as a student at an institution in the further education sector in Wales.
- (2) The local authority may request the governing body of the institution to become responsible for maintaining the plan.
- (3) If the governing body fails to agree to the request within a prescribed period, the local authority may refer the matter to the Welsh Ministers.
- (4) The Welsh Ministers must determine whether the governing body of the further education institution should maintain the plan.

Commencement Information

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| I1 | S. 36 in force at 2.11.2020 for specified purposes by S.I. 2020/1182 , reg. 3(1)(d) |
| I2 | S. 36 in force at 1.9.2021 for specified purposes by S.I. 2021/373 , arts. 3, 4 (as amended by S.I. 2021/735 , art. 2(2)(a) and S.I. 2021/938 , art. 2(3)) |

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 36 is up to date with all changes known to be in force on or before 21 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](#)

- I3** S. 36 in force at 1.9.2021 for specified purposes by S.I. 2021/373, **arts. 6, 7** (as amended by S.I. 2021/735, art. 2(3)(a) and S.I. 2021/938, art. 2(4)(5))
- I4** S. 36 in force at 1.1.2022 for specified purposes by S.I. 2021/1245, **arts. 3(c), 4** (with art. 1(4))
- I5** S. 36 in force at 1.1.2022 for specified purposes by S.I. 2021/1243, **art. 3(c)** (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**)
- I6** S. 36 in force at 1.1.2022 for specified purposes by S.I. 2021/1244, **art. 3(c)** (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**)
- I7** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/895, **arts. 3(c), 4**
- I8** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/896, **art. 3(c)** (with arts. 4-22) (as amended (21.8.2023) by S.I. 2023/932, **art. 5**)
- I9** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/897, **art. 3(c)** (with arts. 1(8), 4-21) (as amended (21.8.2023) by S.I. 2023/932, **art. 6**)
- I10** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/892, **art. 3(c)** (with arts. 2, 4-18)
- I11** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/898, **arts. 2(c), 3**
- I12** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/891, **art. 3(c)** (with arts. 4-25) (as amended (21.8.2023) by S.I. 2023/932, **art. 4**)
- I13** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/893, **art. 4** (with art. 1(2))
- I14** S. 36 in force at 1.9.2022 for specified purposes by S.I. 2022/894, **art. 3(c)**

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 36 coming into force by [S.I. 2022/893 art. 2\(c\)](#)
- 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\(o\)\(xi\)](#)