



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

45 Detention under Part 3 of the Mental Health Act 1983

- (1) Subsection (2) applies where, because of section 44 or section 562 of the [Education Act 1996 \(c.56\)](#), powers or duties conferred or imposed by or under this Part on local authorities or on the governing bodies of maintained schools or institutions in the further education sector do not apply in relation to 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 a hospital under Part 3 of the [Mental Health Act 1983 \(c. 20\)](#).
- (2) Regulations may provide for those powers or duties to be applied, with or without modification, in relation to the child or young person.