



# 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*

#### **7 Duty to have regard to the United Nations Convention on the Rights of the Child**

- (1) A relevant body exercising functions under this Part in relation to a child or young person must have due regard to Part 1 of the United Nations Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 (“the Convention”).
- (2) For the purposes of subsection (1), Part 1 of the Convention is to be treated as having effect—
  - (a) as set out for the time being in Part 1 of the Schedule to the [Rights of Children and Young Persons \(Wales\) Measure 2011 \(nawm 2\)](#), but
  - (b) subject to any declaration or reservation as set out for the time being in Part 3 of that Schedule.
- (3) Subsection (1) does not require specific consideration of the Convention on each occasion that a function is exercised.<sup>7</sup>
- (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.

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*Status: This is the original version (as it was originally enacted).*

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(5) In subsection (1), “relevant body” means—

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