
WELSH STATUTORY INSTRUMENTS

2021 No. 403

The Equality Act 2010 (Capacity of parents and persons over compulsory school age) (Wales) Regulations 2021

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Equality Act 2010;

“adult” (“*oedolyn*”) means a person who is aged 18 years or over;

“capacity” (“*galluedd*”) has the same meaning as in the Mental Capacity Act 2005(1);

“child” (“*plentyn*”) means a person who has not attained the age of 18;

“compulsory school age” (“*oedran ysgol gorfodol*”) has the meaning given in section 8 of the Education Act 1996(2);

“parent” (“*rhiant*”) has the same meaning as in the Education Act 1996;

“relevant time” (“*adeg berthnasol*”) means the time at which, under the Act, something is required or permitted to be done by or in relation to a parent or a person over compulsory school age (including, where relevant, an adult);

“representative” (“*cynrychiolydd*”), in relation to a parent or a person over compulsory school age (including, where relevant, an adult), means—

- (a) a deputy appointed by the Court of Protection under section 16(2)(b) of the Mental Capacity Act 2005 to make decisions on the parent’s or person’s behalf in relation to matters within Schedule 17 to the Act;
- (b) the donee of a lasting power of attorney (within the meaning of section 9 of the Mental Capacity Act 2005) appointed by the parent or person to make decisions on their behalf in relation to matters within Schedule 17 to the Act;
- (c) an attorney in whom an enduring power of attorney (within the meaning of Schedule 4 to the Mental Capacity Act 2005) created by the parent or person is vested, where the power of attorney is registered in accordance with paragraphs 4 and 13 of that Schedule or an application for registration of the power of attorney has been made.

(1) 2005 c. 9.

(2) 1996 c. 56; section 8 was amended by section 52 of the Education Act 1997 (c. 44).