
WELSH STATUTORY INSTRUMENTS

2021 No. 401

The Additional Learning Needs (Wales) Regulations 2021

PART 2

INDIVIDUAL DEVELOPMENT PLANS

Detention under Part 3 of Mental Health Act 1983; application of 2018 Act

Interpretation of regulations 20 to 25 and Schedule 2

20.—(1) For the purposes of this regulation, regulations 21 to 25 and Schedule 2—

“the 1983 Act” (“*Deddf 1983*”) means the Mental Health Act 1983(1);

“beginning of the detention in hospital” (“*dechrau’r cyfnod o gadw’n gaeth mewn ysbyty*”) in relation to a child or young person detained in hospital under Part 3 of the 1983 Act means—

- (a) the beginning of the period of detention in hospital under that Part, or
- (b) where that period is immediately preceded by detention in a place of safety in accordance with court directions under that Part, the beginning of the period of detention in the place of safety;

“relevant local authority” (“*awdurdod lleol perthnasol*”) in relation to a child or young person detained in hospital under Part 3 of the 1983 Act has the meaning given in regulation 21.

(2) Regulation 2(2) deals with the meaning of references to a person being subject to a detention order.

(3) For the purposes of the definition of “beginning of the detention in hospital” in paragraph (1), it is immaterial whether or not the period of detention is pursuant to a single order.

Commencement Information

II [Reg. 20](#) in force at 1.9.2021, see [reg. 1\(2\)](#)

(1) [1983 c. 20](#). The Crime (Sentences) Act 1997 ([c. 43](#)), section 46 inserted sections 45A and 45B into Part 3. There are other amendments to Part 3 which are not relevant.

Changes to legislation:

There are currently no known outstanding effects for the The Additional Learning Needs (Wales) Regulations 2021, Section 20.