
STATUTORY INSTRUMENTS

2014 No. 1530

The Special Educational Needs and Disability Regulations 2014

PART 6

Parents and young people lacking capacity

Where a young person lacks capacity

- 64.**—(1) In a case where a young person lacks capacity at the relevant time—
- (a) references to a young person in the provisions of Part 3 of the Act listed in Part 1 of Schedule 3 are to be read as references to both the young person and the alternative person;
 - (b) references to a young person or a detained person who is a young person in the provisions of Part 3 of the Act listed in Part 2 of Schedule 3 are to be read as references to the alternative person instead of the young person; and
 - (c) references to a young person in these regulations listed in Part 3 of Schedule 3 are to be read as references to both the young person and the alternative person; and
 - (d) references to a young person in these regulations listed in Part 4 of Schedule 3 are to be read as references to the alternative person instead of the young person.
- (2) For the purposes of this regulation, “the alternative person” means—
- (a) a representative of the young person;
 - (b) the young person's parent, where the young person does not have a representative;
 - (c) a representative of the young person's parent, where the young person's parent also lacks capacity at the relevant time and the young person does not have a representative.

Changes to legislation:

There are currently no known outstanding effects for the The Special Educational Needs and Disability Regulations 2014, Section 64.