
STATUTORY INSTRUMENTS

2014 No. 1652

**The Special Educational Needs
(Personal Budgets) Regulations 2014**

Capacity

16.—(1) Where the parent of a child for whom the local authority maintains an EHC plan lacks capacity within the meaning of the 2005 Act at the relevant time, references to a child's parent in these Regulations are to be read as references to a representative of the parent within the meaning of section 80(6) of the 2014 Act.

(2) Where a young person lacks capacity within the meaning of the 2005 Act at the relevant time, references to a young person in these Regulations are to be read as references to a representative of the young person within the meaning of section 80(6) of the 2014 Act, other than the following references—

- (a) regulation 6(b),
- (b) regulation 8(2)(a) and (4)(b),
- (c) regulation 13(1)(a) and (d), and
- (d) regulation 15(1) (first reference).