
WELSH STATUTORY INSTRUMENTS

2019 No. 794 (W. 148)

EDUCATION, WALES

**The Additional Learning Needs and Education Tribunal (Wales)
Act 2018 (Supplementary Provisions) Regulations 2019**

*Made - - - - 3 April 2019
Coming into force in accordance with regulation 1(2)
and (3)*

The Welsh Ministers, in exercise of the powers conferred by section 97(1) and (2) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018⁽¹⁾, make the following Regulations.

In accordance with section 98 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018, a draft of these Regulations was laid before the National Assembly for Wales and approved by a resolution of the National Assembly for Wales.

Title and commencement

1.—(1) The title of these Regulations is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Supplementary Provisions) Regulations 2019 .

(2) These Regulations come into force on 10 April 2019 subject to paragraph (3).

(3) Regulation 3 comes into force on the day that section 91 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 comes into force.

Amendments to the Additional Learning Needs and Education Tribunal (Wales) Act 2018

2.—(1) Section 91 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 is amended as follows.

(2) In sub-section (3) omit “with the agreement of the Lord Chief Justice”.

(3) In sub-section (4) omit “with the agreement of the President”.

Amendments to the Constitutional Reform Act 2005

3.—(1) In Part 3 of Schedule 14 to the Constitutional Reform Act 2005, Table 1 (appointments by the Lord Chancellor) is amended as follows.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) For the entry relating to section 332(2) of the Education Act 1996 and the offices to which that section relates substitute—

“President of the Education Tribunal for Wales	Section 91(3) and (4) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018”
Member of the legal chair panel of the Education Tribunal for Wales	

3 April 2019

Kirsty Williams
Minister for Education, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (“the 2018 Act”) establishes the statutory system in Wales for meeting the additional learning needs of children and young people. Part 3 of the 2018 Act continues the Special Educational Needs Tribunal for Wales and re-names it the Education Tribunal for Wales.

These Regulations make amendments to section 91 of the 2018 Act which provides for the constitution of the Education Tribunal, including the appointment of the President of the Tribunal and other members of the Education Tribunal.

Regulation 2(2) removes from section 91(3) of the 2018 Act the requirement for the agreement of the Lord Chief Justice for the appointment of the President of the Education Tribunal by the Lord Chancellor.

Regulation 2(3) removes from section 91(4) of the 2018 Act the requirement for the agreement of the President of the Tribunal for the appointment of the legal chair panel by the Lord Chancellor.

Regulation 3 substitutes for the entry in Schedule 14 to the Constitutional Reform Act 2005 relating to the Special Educational Needs Tribunal for Wales an entry relating to the Education Tribunal.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in the light of these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.