

# EDUCATION (WALES) MEASURE 2009

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 – Education Appeals and Claims by Children**

##### **Special educational needs appeals**

Sections 1- 8 insert new provisions into the Education Act 1996

##### ***Section 1 – Right of a child to appeal to the Tribunal in respect of special educational needs (inserting a new section 332ZA into the Education Act 1996)>***

5. Subsection (1) of the new section 332ZA specifies existing grounds on which a parent of a child with SEN may appeal to the Tribunal.
6. Subsection (2) provides that a child may appeal to the Tribunal in relation to the existing grounds on which the child's parent may appeal.
7. Subsection (3) permits a parent and child to appeal at the same time whether on the same or on different grounds.
8. Subsection (4) provides that the exercise of rights granted under this section is subject to any provisions made by regulations under sections 332ZC and 336(1) of the Education Act 1996.