
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 315

**Special Educational Needs Tribunal
Regulations (Northern Ireland) 1997**

Part III

Preparation for a Hearing

Acknowledgement of appeal and service of documents by the Secretary of the Tribunal

16.—(1) Upon receiving a notice of appeal the Secretary of the Tribunal shall—

- (a) enter particulars of it in the records;
- (b) send to the parent—
 - (i) an acknowledgement of its receipt and a note of the case number entered in the records;
 - (ii) a note of the address to which notices and communications to the Tribunal or to the Secretary of the Tribunal should be sent; and
 - (iii) notification that advice about the appeal procedure may be obtained from the office of the Tribunal;
- (c) subject to paragraph (6), send to the board—
 - (i) a copy of the notice of appeal and any accompanying papers;
 - (ii) a note of the address to which notices and communications to the Tribunal or to the Secretary of the Tribunal should be sent; and
 - (iii) a notice stating the time for replying and the consequences of failure to do so.

(2) Where the Secretary of the Tribunal is of the opinion that, on the basis of the notice of appeal, the parent is asking the Tribunal to do something which it cannot, he may give notice to that effect to the parent stating the reasons for his opinion and informing him that the notice of appeal will not be entered in the records unless the parent notifies the Secretary of the Tribunal that he wishes to proceed with it.

(3) Where the Secretary of the Tribunal is of the opinion that there is an obvious error in the notice of appeal—

- (a) he may correct that error and if he does so shall notify the parent accordingly and such notification shall state the effect of sub-paragraph (b); and
- (b) unless within 5 working days the parent notifies the Secretary of the Tribunal that he objects to the correction, the notice of appeal as so corrected shall be treated as the notice of appeal for the purposes of these Regulations.

(4) An appeal, as respects which a notice has been given under paragraph (2), shall only be treated as having been received for the purposes of paragraph (1) when the parent notifies the Secretary of the Tribunal that he wishes to proceed with it.

Status: This is the original version (as it was originally made).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

(5) Subject to paragraph (6), the Secretary of the Tribunal shall forthwith send a copy of a reply by the board under regulation 12 and of a response by a parent under regulation 8 together with any amendments or supplementary statements, written representations, written evidence or other documents received from a party, to the other party to the proceedings.

(6) If a notice of appeal, reply by the board under regulation 12 or response by the parent under regulation 8 is delivered to the Secretary of the Tribunal after the time prescribed by these Regulations, the Secretary of the Tribunal shall defer the sending of the copies referred to in paragraph (1)(c) or (5) pending a decision by the President as to an extension of the time limit pursuant to regulation 41.