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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 339**

Special Educational Needs and Disability  
Tribunal Regulations (Northern Ireland) 2005

PART II

MAKING A SEN APPEAL AND STATEMENTS OF CASE

(B) THE BOARD

**Failure to deliver a statement of case and absence of opposition**

**15.**—(1) If the Secretary of the Tribunal does not receive a statement of case from the board within the case statement period subject to Article 18A of the 1996 Order<sup>(1)</sup> or if the board states in writing that it does not resist the appeal, the tribunal shall—

- (a) determine the appeal on the basis of the notice of appeal and any other documentation already received or amended in accordance with regulation 9(1) and (2) without a hearing; or
- (b) without notifying the board hold a hearing at which the board is not represented.

(2) Where the parent's appeal relates to the contents of the child's statement, no statement that the board does not resist the appeal or that it withdraws its opposition shall take effect until the board sends the Tribunal a written statement of the amendments (if any) to the statement which it agrees to make.