

---

WELSH STATUTORY INSTRUMENTS

---

**2012 No. 322**

The Special Educational Needs  
Tribunal for Wales Regulations 2012

**PART B**

**SPECIAL EDUCATIONAL NEEDS APPEALS AND DISABILITY CLAIMS**

**Case preparation before the hearing**

*The Tribunal's management powers*

**Consolidating claims together with appeals**

**38.**—(1) Subject to paragraphs (2) and (3), where a claim relates to the same child and either arises from the same circumstances or requires a decision on substantially the same issue as an appeal, the President may order that the claim is heard with the appeal.

(2) Nothing in paragraph (1) permits the President to make an order if a person has failed to make an appeal within the time limit for such appeals provided for by regulation 12(1) or by any extension of time granted under these Regulations.

(3) The President may only make an order under paragraph (1) if, in addition to complying with the requirements of paragraph (6), the making of an order would not cause undue delay to the determination of the appeal.

(4) The President may make an order varying or revoking an earlier order made under paragraph (1).

(5) Subject to paragraph (6), the President may issue an order under this regulation on the written request of either party or on the President's own initiative.

(6) An order made under this regulation must only be made if it appears, in the opinion of the President, to be fair and just to do so, and before an order is made each party to every claim or appeal affected must be given an opportunity to be heard.