

# Education (Wales) Measure 2009

## 2009 nawm 5

### EDUCATION (WALES) MEASURE 2009

#### PART 1

#### EDUCATION APPEALS AND CLAIMS BY CHILDREN

##### *Special educational needs appeals*

- 1 Right of a child to appeal in respect of special educational needs
- 2 Notice and service of documents
- 3 Case friends
- 4 Advice and information
- 5 Resolution of disputes
- 6 Independent advocacy services
- 7 Tribunal procedure
- 8 Procedures for making regulations

##### *Disability discrimination claims*

- 9 Right of a child to make a disability discrimination claim
- 10 Time for bringing proceedings
- 11 Tribunal procedure
- 12 Case friends
- 13 Advice and information
- 14 Resolution of disputes
- 15 Independent advocacy services
- 16 Role of Welsh Ministers

##### *Piloting*

- 17 Piloting the rights of a child to appeal or make a claim
- 18 Power to make provision about appeals and claims by a child
- 19 Interpretation of sections 17 and 18

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**Changes to legislation:** Education (Wales) Measure 2009 is up to date with all changes known to be in force on or before 07 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*Future repeal and re-enactment of the Disability Discrimination Act 1995*

- 20 Powers on repeal and re-enactment of the Disability Discrimination Act 1995

**PART 2**

MISCELLANEOUS AND GENERAL

*Amendments to Part 7 of the Education Act 2002*

- 21 Foundation phase

*Amendments to the Learning and Skills Act 2000*

- 22 Local curriculum entitlements for students aged 16 to 18

*General*

- 23 Minor and consequential amendments  
24 Orders and regulations  
25 Orders under section 18: procedure  
26 Commencement  
27 Short title

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SCHEDULE — MINOR AND CONSEQUENTIAL AMENDMENTS

*Education Act 1996 (c. 56)*

- 1 Amend the Education Act 1996 as follows.  
2 In section 326(4) (appeal against contents of the statement)—  
3 In section 326A (unopposed appeals), in subsection (1)(a), for “the...  
4 In section 333 (constitution of Welsh Tribunal), in subsection (1ZB),...  
5 In Schedule 27 (making and maintenance of statements under section...

*Disability Discrimination Act 1995 (c. 50)*

- 6 Amend the Disability Discrimination Act 1995 as follows.  
7 In section 28G (residual duty: supplementary provisions), in subsection (5),...  
8 In section 28P (validity and revision of agreements of responsible...  
9 In Schedule 3 (enforcement and procedure), Part 3 (discrimination in...

*Education and Inspections Act 2006 (c. 40)*

- 10 Section 162 of the Education and Inspections Act 2006 is...  
11 For subsection (5A) substitute— (5A) The Welsh Ministers may by...

*After subsection (6) insert—*

- 12 (7) In interpreting paragraphs (a) to (e) of subsection (2)...

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**Changes and effects yet to be applied to :**

- s. 1-7 omitted by [2018 anaw 2 Sch. 1 para. 6\(m\)\(i\)](#)
- s. 10 words added by [S.I. 2010/1148 art. 5\(3\)](#) (amendment not applied to [legislation.gov.uk](#). Si 2010/1148. art. 5(3) was superceded by the substiution of s. 10 by Si 2011/1651, art. 4 all before s. 10 actually came into force)
- s. 12 omitted by [2018 anaw 2 Sch. 1 para. 19\(6\)](#)
- s. 17-19 omitted by [2018 anaw 2 Sch. 1 para. 18\(2\)](#)
- s. 24(3) omitted by [2018 anaw 2 Sch. 1 para. 18\(3\)\(a\)](#)
- s. 24(4) words omitted by [2018 anaw 2 Sch. 1 para. 18\(3\)\(b\)](#)
- s. 25 omitted by [2018 anaw 2 Sch. 1 para. 18\(4\)](#)
- Sch. para. 2-5 omitted by [2018 anaw 2 Sch. 1 para. 6\(m\)\(ii\)](#)
- Sch. para. 1 and preceding heading omitted by [2018 anaw 2 Sch. 1 para. 6\(m\)\(ii\)](#)