



# Mesur Addysg (Cymru) 2009

2009 mccc 5

## RHAN 1

### APELAU A HAWLIADAU ADDYSG GAN BLANT

#### *Hawliadau gwahaniaethu ar sail anabledd*

#### **9 Hawl plentyn i wneud hawliad gwahaniaethu ar sail anabledd**

- (1) Yn adran 28I o Ddeddf Gwahaniaethu ar sail Anabledd [1995 \(p.50\)](#), yn y pennawd, ar ôl “Tribunal” mewnosoder “ — England and Wales”.
- (2) Ar ôl adran 28I o'r Ddeddf honno mewnosoder—

“28IA

- (1) A claim that a responsible body for a school in Wales—
  - (a) has discriminated against a person (“the relevant person”) in a way which is made unlawful under this Chapter, or
  - (b) is by virtue of section 58 to be treated as having discriminated against the relevant person in such a way,may be made to the Welsh Tribunal by that relevant person.
- (2) But this section does not apply to a claim to which section 28K or 28L applies.
- (3) The relevant person’s right to claim is exercisable concurrently with the right of the relevant person’s parent under section 28I.
- (4) If the Welsh Tribunal considers that a claim under subsection (1) is well founded—
  - (a) it may declare that the relevant person has been unlawfully discriminated against; and
  - (b) if it does so, it may make such order as it considers reasonable in all the circumstances of the case.

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*Statws* This is the original version (as it was originally enacted).

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- (5) The power conferred by subsection (4)(b)—
  - (a) may, in particular, be exercised with a view to obviating or reducing the adverse effect on the person concerned of any matter to which the claim relates; but
  - (b) does not include power to order the payment of any sum by way of compensation.
- (6) The exercise of rights under this section is subject to provision made by regulations under sections 28IB and 28J.”.