

SCHEDULES

SCHEDULE 17

DISABLED PUPILS: ENFORCEMENT

PART 2

TRIBUNALS IN ENGLAND AND WALES

Procedure

- 6 (1) This paragraph applies in relation to the Welsh Tribunal.
- (2) The Welsh Ministers may by regulations make provision as to—
 - (a) the proceedings on a claim under paragraph 3;
 - (b) the making of a claim.
- (3) The regulations may, in particular, include provision—
 - (a) as to the manner in which a claim must be made;
 - (b) for enabling functions relating to preliminary or incidental matters (including in particular a decision under paragraph 4(3) to be performed by the President or by the person occupying the chair);
 - (c) enabling hearings to be conducted in the absence of a member other than the person occupying the chair;
 - (d) as to persons who may appear on behalf of the parties;
 - (e) for granting such rights to disclosure or inspection of documents or to further particulars as may be granted by the county court;
 - (f) requiring persons to attend to give evidence and produce documents;
 - (g) for authorising the administration of oaths to witnesses;
 - (h) for deciding claims without a hearing in prescribed circumstances;
 - (i) as to the withdrawal of claims;
 - (j) for enabling the Tribunal to stay proceedings;
 - (k) for the award of costs or expenses;
 - (l) for settling costs or expenses (and, in particular, for enabling costs to be assessed in the county court);
 - (m) for the registration and proof of decisions and orders;
 - (n) for enabling prescribed decisions to be reviewed, or prescribed orders to be varied or revoked, in such circumstances as may be decided in accordance with the regulations.
- (4) Proceedings must be held in private, except in prescribed circumstances.
- (5) The Welsh Ministers may pay such allowances for the purpose of or in connection with the attendance of persons at the Tribunal as they may decide.

Status: This is the original version (as it was originally enacted).

- (6) Part 1 of the [Arbitration Act 1996](#) does not apply to the proceedings, but regulations may make provision in relation to such proceedings that corresponds to a provision of that Part.
- (7) The regulations may make provision for a claim to be heard, in prescribed circumstances, with an appeal under Part 4 of the Education Act 1996 (special educational needs).
- (8) A person commits an offence by failing to comply with—
 - (a) a requirement in respect of the disclosure or inspection of documents imposed by virtue of sub-paragraph (3)(e), or
 - (b) a requirement imposed by virtue of sub-paragraph (3)(f).
- (9) A person guilty of the offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.