

*Status: Point in time view as at 01/08/2019.*

*Changes to legislation: Equality Act 2010, Cross Heading: Power of direction — Wales is up to date with all changes known to be in force on or before 22 May 2024. 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)*

## SCHEDULES

### SCHEDULE 17

#### DISABLED PUPILS: ENFORCEMENT

##### Modifications etc. (not altering text)

- C1** Sch. 17: power to amend or repeal conferred (10.2.2012) by Education (Wales) Measure 2009 (nawm 5), s. 18(2)(c) (as amended by S.I. 2011/1651, art. 12(b)); S.I. 2012/320, art. 2(g)

#### PART 2

#### TRIBUNALS IN ENGLAND AND WALES

##### *[<sup>F1</sup>Power of direction — Wales*

##### Textual Amendments

- F1** Sch. 17 para. 6E and cross-heading inserted (E.W.) (6.3.2012) by Education (Wales) Measure 2009 (nawm 5), s. 16(2) (as substituted (6.7.2011) by The Right of a Child to Make a Disability Discrimination Claim (Schools) (Wales) Order 2011 (S.I. 2011/1651), art. 10); S.I. 2012/320, art. 3(k)

- 6E (1) If the Welsh Ministers are satisfied (whether on a complaint or otherwise) that a local authority—
- (a) has acted, or is proposing to act, unreasonably in the discharge of a duty imposed by or under paragraph 6B, 6C or 6D, or
  - (b) has failed to discharge a duty imposed by or under any of those paragraphs, they may give that local authority such directions as to the discharge of the duty as appear to them to be expedient.
- (2) A direction may be given under sub-paragraph (1) even if the performance of the duty is contingent on the opinion of the local authority.
- (3) A direction—
- (a) may be varied or revoked by the Welsh Ministers;
  - (b) may be enforced, on the application of the Welsh Ministers, by a mandatory order obtained in accordance with section 31 of the Senior Courts Act 1981.]

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