

2023 No. 1095

CONSTITUTIONAL LAW

EDUCATION, WALES

**The Government of Wales Act 2006 (Schedule 9A – Devolved
Welsh Authorities) (Amendment) Order 2023**

<i>Made</i>	- - - -	<i>11th October 2023</i>
<i>Laid before Parliament</i>		<i>18th October 2023</i>
<i>Coming into force</i>	- -	<i>7th November 2023</i>

At the Court at Buckingham Palace, the 11th day of October 2023

Present,

The King's Most Excellent Majesty in Council

His Majesty, in exercise of the powers conferred by section 157A of the Government of Wales Act 2006(a), is pleased, by and with the advice of His Privy Council, to order as follows:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Government of Wales Act 2006 (Schedule 9A – Devolved Welsh Authorities) (Amendment) Order 2023.

(2) This Order comes into force on 7 November 2023.

(3) In this Order, “the 2006 Act” means the Government of Wales Act 2006.

Amendment of Schedule 9A to the 2006 Act

2. In Schedule 9A to the 2006 Act (devolved Welsh authorities)—

(a) omit—

“The Special Educational Needs Tribunal for Wales or Tribiwnlys Anghenion Addysgol Arbennig Cymru.”;

(a) 2006 c. 32. Section 157A was inserted by section 4(1) of the Wales Act 2017 (c. 4), and amended by paragraph 2(19) of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1) and section 45(3) of the Fisheries Act 2020 (c. 22).

- (b) after the entry for a county council, county borough council or community council in Wales insert—

“The Education Tribunal for Wales or Tribiwnlys Addysg Cymru.”(a).

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 9A (Devolved Welsh Authorities) to the Government of Wales Act 2006 (c. 32) (“the 2006 Act”) and comes into force on 7 November 2023.

Article 2 amends Schedule 9A to the 2006 Act in consequence of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw. 2) (“the Act”). The Act reforms the law on education and training for children and young people with additional learning needs. Section 91 of the Act continues the Special Educational Needs Tribunal for Wales and renames it the Education Tribunal for Wales.

Schedule 9A to the 2006 Act specifies the list of devolved Welsh authorities. This Order varies an entry in that list by removing “The Special Educational Needs Tribunal for Wales or Tribiwnlys Anghenion Addysgol Arbennig Cymru” and replacing it with “The Education Tribunal for Wales or Tribiwnlys Addysg Cymru” in consequence of the change of name made by section 91 of the Act.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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- (a) Section 91(1) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw. 2) continues the Special Educational Needs Tribunal for Wales and renames it the Education Tribunal for Wales. Section 91 was commenced for the purposes of making regulations by article 3(1)(l) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 1) Order 2020 (S.I. No. 1182 (W. 267) (C. 33)) and for those purposes section 91 came into force on 2 November 2020. For all remaining purposes section 91 came into force on 1 September 2021, in accordance with article 8(h) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 2) Order 2021 (S.I. No. 373 (W. 116) (C. 12)).

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