
WELSH STATUTORY INSTRUMENTS

2004 No. 1805

**The Education (Pupil Exclusions and Appeals) (Wales)
(Miscellaneous Amendments) Regulations 2004**

Exclusions — standard of proof

8. After regulation 9 of the 2003 PRU Regulations insert —

“Exclusions — standard of proof

9A. Where it falls to—

- (a) the teacher in charge of a pupil referral unit, in exercise of the power conferred by section 52(2) of the 2002 Act,
- (b) the local education authority, in exercise of functions under regulation 7, or
- (c) an appeal panel constituted in accordance with paragraph 2 of the Schedule to the 2003 Regulations as modified, in exercise of functions under regulation 8,

to establish any fact, any question as to whether that fact is established must be decided on a balance of probabilities.”.