
WELSH STATUTORY INSTRUMENTS

2021 No. 516

**The Additional Learning Needs and Education Tribunal
(Wales) Act 2018 (Commencement No. 3 and No. 4 and
Transitional and Saving Provisions) (Amendment) Order 2021**

**Amendment of Additional Learning Needs and Education Tribunal (Wales) Act 2018
(Commencement No. 4 and Transitional and Saving Provisions) Order 2021**

3. For article 8 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 4 and Transitional and Saving Provisions) Order 2021⁽¹⁾ substitute—

“Right to ask to transfer to new law

8.—(1) A child who on 1 September 2021 has identified special educational needs, or that child’s parent, may make a request to the appropriate person that the new law applies to that child.

(2) The new law applies in relation to the child on the date that the request is received.

(3) The old law ceases to apply in relation to the child on that date.

(4) In this article, the “appropriate person” means—

(a) the local authority in Wales which is responsible for the child,

(b) where a local authority in Wales is not responsible for the child, a local authority in Wales in whose area the maintained school or the pupil referral unit at which the child is a registered pupil is located.”.