WELSH STATUTORY INSTRUMENTS

2022 No. 892 (W. 189) (C. 56)

EDUCATION, WALES

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 9 and Transitional and Saving Provisions) Order 2022

Made - - - - 16 August 2022

The Welsh Ministers, in exercise of the powers conferred by section 100(3) and (4) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(**1**), make the following Order:

Title and interpretation

1.—(1) The title of this Order is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 9 and Transitional and Saving Provisions) Order 2022.

(2) In this Order—

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996(**2**);

"the Act" ("y *Ddeddf*") means the Additional Learning Needs and Education Tribunal (Wales) Act 2018;

"child" ("*plentyn*") means a person who is not over compulsory school age;

"code" ("*cod*") means a code on additional learning needs issued under section 4 of the Act;

"compulsory school age" ("*oedran ysgol gorfodol*") has the same meaning as in section 8(**3**) of the 1996 Act;

"in the area" ("*yn ardal*") has the same meaning as in section 579(3B)(**4**) of the 1996 Act;

"individual development plan" ("*cynllun datblygu unigol*") means a plan prepared and maintained under Chapter 2 of Part 2 of the Act;

"local authority" ("*awdurdod lleol*") has the same meaning as in section 99 of the Act;

"looked after child" ("*plentyn sy'n derbyn gofal*") has the same meaning as in section 15 of the Act;

(**1**) 2018 anaw 2.
(**2**) 1996 c. 56.
(**3**) Section 8 was amended by section 52 of the Education Act 1997 (c. 44).
(**4**) Inserted by Children and Families Act 2014 (c. 6), section 82 and paragraphs 1 and 59 of Schedule 3 and amended by section 95 of the Act.

"parent" ("*rhiant*") has the same meaning as in section 576(**5**) of the 1996 Act;

"Tribunal" ("*Tribiwnlys*") means the Education Tribunal for Wales(**6**);

"Tribunal Rules" ("*Rheolau'r Tribiwnlys*") means Special Educational Needs Tribunal for Wales Regulations 2012(**7**).

(3) References in this Order to "the old law" are to Chapter 1 of Part 4 of the 1996 Act.

(4) References in this Order to "the new law" are to—

(a) the Act,

(b) a regulation or the code made under that Act, and

(c) any other provision of, or made under, an act that has effect for the purposes of or in relation to—

(i) a provision of the Act or such regulations or code, or

(ii) a person to whom the Act or such regulations or code applies.

(5) For the purposes of this Order an appeal is finally determined if it is withdrawn, or if—

(a) a decision is made by a tribunal or court on the appeal, and

(b) if a request may be made to review the decision or it may be further appealed, and the period (or each of the periods) for doing so expires without a review being requested or further appeal being made.

(6) For the purposes of this Order, a local authority is responsible for a child if he or she is in the area of the authority.

(7) For the purposes of this Order, where a child is—

(a) a looked after child, the appropriate local authority is the local authority that looks after the child;

(b) not a looked after child, the appropriate local authority is the local authority responsible for the child.

(8) For the purposes of this Order, a matter is ongoing when—

(a) a local authority has served a notice under section 323 of the 1996 Act and the assessment has not commenced and no notice has been given under section 323(6) of the 1996 Act;

(b) a request has been made under section 329 or 329A of the 1996 Act for an assessment under section 323 of the 1996 Act and the local authority has not determined whether to comply with the request;

(c) a request has been made under section 329 or 329A of the 1996 Act for an assessment under section 323 of the 1996 Act and the local authority determines not to comply with the request and—

(i) the time within which an appeal under section 329(2) or 329A(8) of the 1996 Act has to be made under Part B of the Tribunal Rules has not expired;

(ii) an appeal to the Tribunal under section 329(2) or 329A(8) of the 1996 Act in relation to that determination has been made but not finally determined; or

(iii) an appeal to the Tribunal under section 329(2) or 329A(8) of the 1996 Act in relation to that determination was finally determined and the local authority was ordered to arrange an assessment, and that assessment has not commenced;

(**5**) Amended by School Standards and Framework Act 1998 (c. 31), section 140 and paragraph 180 of Schedule 30 and Schedule 31.

(**6**) The Education Tribunal for Wales was previously known as the Special Educational Needs Tribunal for Wales. *See* section 91 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

(**7**) S.I. 2012/322 (W. 53).

(d) a local authority is undertaking an assessment of educational needs under section 323 of the 1996 Act;

(e) a local authority proposes not to make a statement following an assessment and—

(i) the period within which an appeal under section 325(2) of the 1996 Act has to be made under Part B of the Tribunal Rules has not expired;

(ii) an appeal to the Tribunal under section 325(2) of the 1996 Act in relation to that decision has been made but not finally determined; or

(iii) an appeal to the Tribunal under section 325(2) of the 1996 Act in relation to that decision was made and finally determined and the local authority was ordered to—

(aa) make and maintain a statement and the making of the statement has not commenced; or

(bb) reconsider its decision and that reconsideration has not commenced;

(f) a local authority must make a statement under section 324 of the 1996 Act but the making of the statement has not commenced;

(g) a local authority must make a statement under section 324 of the 1996 Act but the statement has not been made;

(h) an assessment under section 331 of the 1996 Act is ongoing.

(9) For the purposes of this Order, an appeal is ongoing when—

(a) a request has been made under section 329 or 329A of the 1996 Act for an assessment under section 323 of the 1996 Act and the local authority determines not to comply with the request and—

(i) an appeal to the Tribunal under section 329(2) or 329A(8) of the 1996 Act in relation to that determination has been made but not finally determined; or

(ii) an appeal to the Tribunal under section 329(2) or 329A(8) of the 1996 Act in relation to that determination was finally determined and the local authority was ordered to arrange an assessment, and that assessment has not commenced;

(b) a local authority proposes not to make a statement following an assessment and—

(i) an appeal to the Tribunal under section 325(2) of the 1996 Act in relation to that decision has been made but not finally determined; or

(ii) an appeal to the Tribunal under section 325(2) of the 1996 Act in relation to that decision was made and finally determined and the local authority was ordered to—

(aa) make and maintain a statement and the making of the statement has not commenced; or

(bb) reconsider its decision and that reconsideration has not commenced.

Commencement Information

I1 Art. 1 in force at made date

Application of this Order

2. This Order applies to a child in relation to whom there is a matter ongoing on 1 September 2022.

Commencement Information
I2 Art. 2 in force at made date

Provisions coming into force on 1 September 2022

3. The following provisions of the Act come into force on 1 September 2022 in relation to a child to whom this Order applies—

(a) sections 2 to 4;

(b) sections 6 to 14;

(c) sections 17 to 36;

(d) section 38;

(e) sections 40 to 44;

(f) sections 47 to 49;

(g) section 50(1) for the purposes of the provisions in paragraph (h);

(h) section 50(4) and (5);

(i) sections 51 to 53;

(j) section 55;

(k) section 59;

(l) sections 63 to 66;

(m) sections 68 and 69;

(n) section 96 for the purposes of the provisions in paragraph (o);

(o) in the Schedule—

(i) paragraph 1;

(ii) paragraph 4(1) for the purposes of the provisions in sub-paragraphs (iii) to (xi);

(iii) paragraph 4(2) to 4(6);

(iv) paragraph 4(7) to the extent that the paragraph has not been repealed in relation to the child(**8**);

(v) paragraph 4(8) and (9);

(vi) paragraph 4(10);

(vii) paragraph 4(13) to 4(18);

(viii) paragraph 4(19)(b);

(ix) paragraph 4(20) and 4(21);

(x) paragraph 4(23) to 4(29);

(xi) paragraph 4(32)(a)(i) and (ii) and paragraph 4(32)(b);

(xii) paragraph 7;

(xiii) paragraph 8;

(**8**) Paragraph 4(7) ("the provision") has been repealed by paragraph 75 of Schedule 2 to the Curriculum and Assessment (Wales) Act 2021 (asc 4) ("the 2021 Act"). However, the provision has been saved by the Curriculum and Assessment (Wales) Act 2021 (Transitional and Saving Provision) Regulations 2022 (S.I. 2022/111 (W. 39)) in relation to a child or pupil provided with education under the old curriculum (i.e. in relation to whom the 2021 Act has not been commenced). The effect of that saving provision is that paragraph 4(7) of the Schedule to the Act remains in force until such time as the child or pupil is provided with education under the 2021 Act.

(xiv) paragraph 11(a);

(xv) paragraph 12(a);

(xvi) paragraph 14(1) for the purposes of the provisions in sub-paragraph (xvii);

(xvii) paragraph 14(2) and (3);

(xviii) paragraph 19(1) for the purpose of the provision in sub-paragraph (xix);

(xix) paragraph 19(5)(e)(ii);

(xx) paragraph 21(1) for the purposes of the provisions in sub-paragraph (xxi);

(xxi) paragraph 21(2)(a)(i) and (2)(b)(ii);

(xxii) paragraph 22;

(xxiii) paragraph 23(1) for the purpose of the provision in sub-paragraph (xxiv);

(xxiv) paragraph 23(4);

(xxv) paragraph 24(1) for the purposes of the provisions in sub-paragraph (xxvi);

(xxvi) paragraph 24(3) and (6)(a).

Commencement Information

I3 Art. 3 in force at made date

Saving provision

4. Subject to articles 9 and 10 and articles 12 to 15, despite the disapplication by section 96 and paragraph 4(9) of the Schedule to the Act of Chapter 1 of Part 4 of the 1996 Act(**9**) in relation to a child to whom this Order applies—

(a) the old law continues to have effect in relation to that child, and

(b) the new law does not have effect in relation to that child.

Commencement Information

I4 Art. 4 in force at made date

IDP notice

5. An IDP notice is a notice given to a child and a child's parent which confirms that—

(a) the child has additional learning needs for the purposes of Chapter 2 of Part 2 of the Act, and

(b) an individual development plan will be prepared for the child.

Commencement Information

I5 Art. 5 in force at made date

(**9**) *See* article 3 of this Order which commenced those provisions.

No IDP notice

6. A No IDP notice is a notice given to a child and a child's parent which confirms that the appropriate local authority has decided that the child does not have additional learning needs for the purposes of Chapter 2 of Part 2 of the Act.

Commencement Information
I6 Art. 6 in force at made date

Effect of IDP notice

7. The effect of the IDP notice is that—

(a) the appropriate local authority is deemed to have decided on the date of the notice that the child has additional learning needs under Chapter 2 of Part 2 of the Act,

(b) the new law applies in relation to the child on that date, and

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

Commencement Information
I7 Art. 7 in force at made date

Effect of No IDP notice

8. The effect of the No IDP notice is that—

(a) the appropriate local authority is deemed to have decided on the date of the notice that the child does not have additional learning needs under Chapter 2 of Part 2 of the Act,

(b) the new law applies in relation to the child on that date, and

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

Commencement Information
I8 Art. 8 in force at made date

Duty to give a notice

9.—(1) Where a local authority has served a notice under section 323 of the 1996 Act, and that assessment has not commenced by 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(2) Where a request is made under section 329 or 329A of the 1996 Act and on 1 September 2022 the local authority has not determined whether to comply with the request, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(3) Where a local authority is conducting an assessment under section 323 or 331 of the 1996 Act on 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(4) Where the period for bringing an appeal under section 325(2), 329(2) or 329A(8) of the 1996 Act has not expired on 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(5) Where an appeal has been made to the Tribunal under section 325(2), 329(2) or 329A(8) of the 1996 Act and that appeal is ongoing on 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after that appeal is finally determined.

(6) Where a local authority must make a statement under section 324 of the 1996 Act and on 1 September 2022 the making of the statement has not commenced or the statement has not been made, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

Commencement Information
I9 Art. 9 in force at made date

Right to request an IDP notice or a No IDP notice

10.—(1) A child to whom this Order applies or that child's parent may request that the appropriate local authority gives an IDP notice or a No IDP notice and the local authority must give either an IDP notice or a No IDP notice as soon as reasonably practicable after the request.

(2) The duty to give an IDP notice or a No IDP notice in paragraph (1) does not apply when—

(a) an appeal is ongoing in relation to that child, or

(b) articles 12 to 15 apply.

Commencement Information
I10 Art. 10 in force at made date

Time for giving an individual development plan

11.—(1) When an IDP notice is given pursuant to article 9 or 10 a copy of the individual development plan must be given to the child and the child's parent within 12 weeks of the date of the notice unless—

(a) any of the circumstances in section 12(2) of the Act apply,

(b) section 31 of the Act applies, or

(c) there are exceptional circumstances.

(2) If any of the circumstances in section 12(2) apply or there are exceptional circumstances a copy of the individual development plan must be given as soon as is reasonably practicable.

(3) Any timescales in the code relating to the preparation of an individual development plan do not apply when an individual development plan is prepared following the giving of an IDP notice.

Commencement Information
I11 Art. 11 in force at made date

Children for whom the new law does not apply by a certain date

12.—(1) This article applies to a child—

(a) in relation to whom there is no ongoing appeal on 30 August 2024,

(b) to whom article 13 does not apply, and

(c) in relation to whom the new law does not apply on 30 August 2024.

(2) On 31 August 2024—

(a) the new law applies in relation to the child, and

(b) the old law ceases to apply in relation to the child.

13.—(1) This article applies to a child where the local authority is ordered to perform an action as a result of an ongoing appeal being finally determined and the action has not been performed by 30 August 2024.

(2) On the transfer day—

(a) the new law applies in relation to the child, and

(b) the old law ceases to apply in relation to the child.

(3) In this article "transfer day" means the day after which the action referred to in paragraph (1) is performed, or all of the actions have been performed if there is more than one action.

14.—(1) This article applies to a child where an appeal is ongoing on 30 August 2024 in relation to that child.

(2) On the transfer day—

(a) the new law applies in relation to the child, and

(b) the old law ceases to apply in relation to the child.

(3) In this article "transfer day" means—

(a) unless sub-paragraph (b) applies, the day after the appeal is finally determined;

(b) where the local authority is ordered to perform an action as a result of the ongoing appeal being finally determined, the day after which the action is performed, or all of the actions have been performed if there is more than one action.

Commencement Information

I12 Art. 12 in force at made date

I13 Art. 13 in force at made date

I14 Art. 14 in force at made date

Change of circumstances

15.—(1) This article applies to a child—

(a) who moves from the area of the local authority in which the child was in on 1 September 2022,

(b) for whom a request for an IDP notice or a No IDP notice has not been made, and

(c) in relation to whom the old law applies.

(2) On the date that the child moves from the area of the local authority in which the child was in on 1 September 2022—

(a) the new law applies in relation to the child, and

(b) the old law ceases to apply in relation to the child.

Commencement Information
I15 Art. 15 in force at made date

Regard to special educational provision provided before IDP notice

16. Where an individual development plan is being prepared for a child within 12 weeks of moving to the new law, regard must be had to any special educational provision provided to the child immediately before moving to the new law.

Commencement Information
I16 Art. 16 in force at made date

Capacity of children

17.—(1) Subject to paragraph, paragraph applies to a child in relation to whom there is a matter ongoing on 1 September 2022.

(2) Nothing in this article applies to a person when that person ceases to be of compulsory school age.

(3) A duty in paragraph (4) does not apply if the appropriate local authority considers that the child does not have capacity to understand the subject matter.

(4) The duties referred to in paragraph (3) are —

(a) the duty to give a child an IDP notice or a No IDP notice in article 9;

(b) the duty to give a notice following a request by a child under article 10;

(c) the duty to give a child a copy of the individual development plan within 12 weeks in article 11(1).

(5) Where paragraph (3) applies in relation to a duty in paragraph (4)(a) or (b), the first reference to a child in article 5 is to be read as if it were omitted.

(6) Where paragraph (3) applies in relation to a duty in paragraph (4)(a) or (b), the first reference to a child in article 6 is to be read as if it were omitted.

Commencement Information
I17 Art. 17 in force at made date

Children who become young persons before the new law applies

18.—(1) Paragraph (2) applies to a child in relation to whom there is a matter ongoing on 1 September 2022.

(2) A duty in paragraph (3) or the power in paragraph (4) does not apply when a person ceases to be of compulsory school age.

(3) The duties referred to in paragraph (2) are—

(a) the duty to give a parent an IDP notice or a No IDP notice in article 9;

(b) the duty to give a notice following a request by a parent under article 10;

(c) the duty to give a parent a copy of the individual development plan within 12 weeks in article 11(1).

(4) The power referred to in paragraph (2) is the power for a parent to request an IDP notice or a No IDP notice in article 10.

(5) Where paragraph (2) applies in relation to a duty in paragraph (3)(a) or (b), the first reference to a child's parent in article 5 is to be read as if it were omitted.

(6) Where paragraph (2) applies in relation to a duty in paragraph (3)(a) or (b), the first reference to a child's parent in article 6 is to be read as if it were omitted.

Commencement Information

I18 Art. 18 in force at made date

Jeremy Miles
Minister for Education and Welsh Language, one of the Welsh Ministers

16 August 2022

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 ("the Act").

The Act establishes a statutory framework for supporting children and young people with additional learning needs. This replaces the legislation surrounding special educational needs and the assessment of children and young people with learning difficulties.

The provisions listed in article 3 come into force on 1 September 2022 in relation to certain children who are engaged with the current statutory framework on 1 September 2022 but do not have a statement of special educational needs (article 2).

Article 1 contains definitions, including the "new law" in the Act and the "old law" in Part 4 of the Education Act 1996. Until a child is transferred to the new law the old law will continue to apply to the child and the new law will not have effect.

This Order requires the appropriate local authority to give a notice to a child (article 9). When the local authority has to give the notice depends on the child's engagement with the current statutory framework on 1 September 2022. The date of the notice given to a particular child will be the date that child transfers to the new law.

The appropriate local authority can give the child an IDP notice or a No IDP notice. An IDP notice means that the child is deemed to have additional learning needs for the purposes of Chapter 2 of Part 2 of the Act on the date of the notice and that it is intended that an individual development plan is prepared for the child (article 5). A No IDP notice means that the child is deemed not to have additional learning needs for the purposes of Chapter 2 of Part 2 of the Act on the date of the notice (article 6).

A child to whom this Order applies or the child's parent can request that an IDP notice or a No IDP notice is given (article 10).

Where an individual development plan is prepared following an IDP notice, a copy of the individual development plan must be given to the child and the child's parent within 12 weeks of the date of the notice unless certain circumstances apply (article 11).

If the child has not transferred to the new law by 31 August 2024, articles 12 to 14 set out the date on which the old law ceases and the new law has effect in relation to the child.

Article 15 deals with the situation where the circumstances of the child change after 1 September 2022.

When preparing an individual development plan for a child to whom this Order applies, in certain circumstances regard must be had to any special educational provision the child was receiving immediately before transferring to the new law (article 16).

Article 17 reflects section 84 of the Act which provides that certain duties and conditions in that Act in relation to children (e.g. to give a child a copy of an individual development plan) do not apply if it is considered that the child does not have capacity to understand the subject matter.

Article 18 provides that certain duties and conditions in relation to parents in this Order (e.g. to give a parent an IDP notice or a No IDP notice) do not apply when the child ceases to be of compulsory school age.

NOTE AS TO EARLIER COMMENCMENT ORDERS

The following provisions of the Act have been brought into force by Commencement Orders made before the date of this Order(**10**):

Provision	*Date of Commencement*	*S.I. No*
Sections 2 to 3 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)(**11**)
		S.I. 2021/1244 (W. 316) (C. 69)(**12**)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 4 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 5	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Section 6 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 7 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 8 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)

(**10**) See the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 8 and Transitional and Saving Provisions) Order 2022 (S.I. 2022/891 (W. 188) (C. 55)), the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 10) Order 2022 (S.I. 2022/893 (W. 190) (C. 57)), the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 11) Order 2022 (S.I. 2022/894 (W. 191) (C. 58)), the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 12) Order 2022 (S.I. 2022/895 (W. 192) (C. 59), the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 13 and Transitional and Saving Provisions) Order 2022 (S.I. 2022/896 (W. 193) (C. 60)), the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 14 and Transitional and Saving Provisions) Order 2022 (S.I. 2022/897 (W. 194) (C. 61)) and the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 15) Order 2022 (S.I. 2022/898 (W. 195) (C. 62) which bring provisions into force for certain purposes on the same date as this Order.

(**11**) Amended by S.I. 2021/1428 (W. 369) (C. 80).

(**12**) Amended by S.I. 2021/1428 (W. 369) (C. 80).

Provision	*Date of Commencement*	*S.I. No*
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Sections 9 to 14 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 15	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Section 16 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)(**13**)
Sections 17 to 20 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 21 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Sections 22 to 31 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 32 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Sections 33 to 35 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)

(**13**) Amended by S.I. 2021/735 (W. 184) (C. 34).

Provision	*Date of Commencement*	*S.I. No*
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 36 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 37	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Section 38 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 39	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Sections 40 to 44 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 45	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Section 46	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Section 47 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Sections 48 to 49 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 50(1), (4) and (5) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)

Provision	*Date of Commencement*	*S.I. No*
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 50(1), (2) and (3) (fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Sections 51 to 53 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 54 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 55 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 56 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 56(1)	4 January 2021	S.I. 2020/1182 (W. 267) (C. 33)
Section 56(4) to (6)	4 January 2021	S.I. 2020/1182 (W. 267) (C. 33)
Sections 57 to 58	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 59 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 60	4 January 2021	S.I. 2020/1182 (W. 267) (C. 33)
Section 61	4 January 2021	S.I. 2020/1182 (W. 267) (C. 33)
Section 62	4 January 2021	S.I. 2020/1182 (W. 267) (C. 33)
Sections 63 to 64 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 65 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)

Provision	*Date of Commencement*	*S.I. No*
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 66 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Section 67	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Sections 68 to 69 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
Sections 70 to 73	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 74	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Section 75 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 76 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 77 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373(W. 116) (C. 12)
Sections 78 to 81	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 82	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
Section 83 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 84	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 85 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Sections 86 to 90	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 91 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 92 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)

Provision	*Date of Commencement*	*S.I. No*
Sections 93 to 94	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 95 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
Section 96 (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 1 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 2(1), 2(2)(b) and 2(3)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 3	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 4(1), 4(2) to 4(8), 4(9), 4(10), 4(13) to 4(18), 4(19)(b), 4(20), 4(21), 4(23) to 4(29), 4(32)(a)(i) and (ii), 4(32)(b) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 4(9) (in so far as it omits sections 333(1ZA), 333(2) to 333(6) and 334 to 335), 4(12), 4(19)(a), 4(22), 4(30)(a)(ii), 4(30)(b), 4(31), 4(32)(a)(iii), 4(33)(a), 4(33)(b) (in so far as it omits certain definitions), 4(33)(d), 4(33)(e) and 4(33)(g)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 6(d)(v), 6(f), 6(g), 6(j)(i), 6(l)(i), 6(l)(iii), 6(n)(ii) (in so far as it omits paragraph 11 of Schedule 2), and 6(t)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 7 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)

Provision	*Date of Commencement*	*S.I. No*
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 8 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraphs 9 and 10	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 11(a) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 11(b)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 12(a) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 12(b)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 13	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 14(1) to (3) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 14(1) and 14(4)	1 September 2021	S.I. 2021/373 (W. 116) (C .12)
The Schedule, paragraph 15(1) and 15(3) to 15(4)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraphs 17 and 18	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 19(1), (2), (3), (5)(a) to (d), (5)(e)(i), (5)(f) and (6)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)

Provision	*Date of Commencement*	*S.I. No*
The Schedule, paragraph 19(1),(4) and (5)(g) and (h) (partially)	2 November 2020	S.I. 2020/1182 (W. 267) (C. 33)
(fully)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 19(1), (5)(e)(ii) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 20	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 21 (1), (2)(a)(i) and (2)(b)(ii) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 21(1) and 21(b)(i)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 22 (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 23(1), 23(3)(a) to (c) and (5)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
The Schedule, paragraph 23(1) and (4) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)
The Schedule, paragraph 24(1) and 24(3) and (6)(a) (partially)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)
	1 January 2022	S.I. 2021/1243 (W. 315) (C. 68)
		S.I. 2021/1244 (W. 316) (C. 69)
		S.I. 2021/1245 (W. 317) (C. 70)

Provision	*Date of Commencement*	*S.I. No*
The Schedule, paragraph 24(1), 24(2), (5) and (6)(b) and (c)	1 September 2021	S.I. 2021/373 (W. 116) (C. 12)(**14**)

(**14**) Amended by S.I. 2021/735 (W. 184) (C. 34).

Changes to legislation:
There are currently no known outstanding effects for the The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 9 and Transitional and Saving Provisions) Order 2022.