
WELSH STATUTORY INSTRUMENTS

2023 No. 932

**The Additional Learning Needs and Education Tribunal
(Wales) Act 2018 (Amendment of Commencement Orders
No. 5, No. 6, No. 8, No. 13 and No. 14) Order 2023**

**Amendment of the Additional Learning Needs and Education Tribunal (Wales) Act 2018
(Commencement No. 5 and Transitional and Saving Provisions) Order 2021**

2.—(1) The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 5 and Transitional and Saving Provisions) Order 2021⁽¹⁾ is amended as follows.

(2) In article 1(2), in the appropriate place, insert—

““year 6” (“*blwyddyn 6*”) means a year group in which the majority of children will, in the school year, attain the age of 11;”.

(3) After article 10 insert—

“**10A.**—(1) This article applies to a child who on 1 September 2023 has identified special educational needs and who is in year 6 or in year 10 during the 2023-2024 school year.

(2) Unless the new law applies in relation to the child, the governing body which provides the special educational provision to the child must either give an IDP notice or a No IDP notice to the child and the child’s parent during the 2023-2024 school year.”.

(4) In article 11—

(a) in paragraph (1), for “9 or 10” substitute “9, 10 or 10A”.

(b) in paragraph (2), after “school year” insert “or the 2024-2025 school year”.

(5) In article 13(1) after “10,” insert “10A,”.

(6) After article 16 insert—

“**16A.**—(1) This article applies to a child—

(a) who had identified special educational needs on 1 January 2022,

(b) who was in year 6 or in year 10 during the 2023-2024 school year, 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.”.

(7) In article 17, for “2024”, in both places it occurs, substitute “2025”.

(8) In article 23(1)(a), after “10(2)” insert “, 10A(2)”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
