



# Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

## PART 2

### ADDITIONAL LEARNING NEEDS

#### CHAPTER 1

##### KEY TERMS, CODE AND PARTICIPATION

###### *Code of practice*

#### **5 Procedure for making the code**

- (1) Before issuing or revising a code under section 4, the Welsh Ministers must consult the following persons on a draft of the code—
  - (a) each local authority;
  - (b) the governing body of each maintained school in Wales;
  - (c) the governing body of each institution in the further education sector in Wales;
  - (d) Her Majesty's Chief Inspector of Education and Training in Wales;
  - (e) the Children's Commissioner for Wales;
  - (f) the Welsh Language Commissioner;
  - (g) the relevant committee of the National Assembly for Wales with remit for the education of children and young persons;
  - (h) any other person the Welsh Ministers consider appropriate.
- (2) If the Welsh Ministers wish to proceed with the draft (with or without modifications) they must lay a copy of the draft before the National Assembly for Wales.
- (3) The Welsh Ministers must not issue a code unless a draft of it is approved by a resolution of the National Assembly for Wales.

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*Status: This is the original version (as it was originally enacted).*

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- (4) If the National Assembly for Wales resolves to approve a draft of the code—
  - (a) the Welsh Ministers must issue the code in the form of the draft, and
  - (b) the code comes into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.
- (5) An order under subsection (4)(b) may—
  - (a) appoint different days for different purposes;
  - (b) make transitory, transitional or saving provision in connection with the coming into force of a provision in the code.
- (6) References in this section to a code include a revised code.
- (7) The requirement to consult imposed by subsection (1) may be satisfied by consultation undertaken before the coming into force of this Part.