



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

2018 anaw 2

## PART 2

### ADDITIONAL LEARNING NEEDS

#### CHAPTER 4

#### AVOIDING AND RESOLVING DISAGREEMENTS

##### *Appeals and applications to the Tribunal*

#### **75 Regulations about procedure**

- (1) Regulations may make provision about—
  - (a) the initiation of an appeal or application under this Part;
  - (b) the proceedings of the Education Tribunal for Wales on an appeal or application under this Part.
- (2) Regulations under subsection (1) may include provision—
  - (a) as to the period within which, and the manner in which, appeals or applications are to be commenced;
  - (b) where the jurisdiction of the Tribunal is being exercised by more than one tribunal—
    - (i) for determining by which tribunal any appeal or application is to be heard, and
    - (ii) for the transfer of proceedings from one tribunal to another;
  - (c) for enabling any functions relating to matters preliminary or incidental to an appeal or application to be performed by the President or by the legal chair;

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*Status: This is the original version (as it was originally enacted).*

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- (d) for hearings to be conducted in the absence of a member other than the legal chair;
  - (e) as to the persons who may appear on behalf of the parties;
  - (f) for granting such rights to disclosure or inspection of documents or to further particulars as may be granted by the county court;
  - (g) requiring persons to attend to give evidence and produce documents;
  - (h) for authorising the administration of oaths to witnesses;
  - (i) for the determination of appeals or applications without a hearing in prescribed circumstances;
  - (j) as to withdrawal of appeals or applications;
  - (k) as to the award of costs or expenses;
  - (l) for assessing or otherwise settling any costs or expenses (and, in particular, for enabling such costs or expenses to be assessed in the county court);
  - (m) for the registration and proof of decisions and orders;
  - (n) for enabling the Tribunal to review its decisions, or revoke or vary its orders, in prescribed circumstances;
  - (o) for enabling the Tribunal to stay proceedings;
  - (p) for adding and substituting parties;
  - (q) for enabling appeals or applications by different persons to be dealt with together;
  - (r) for an appeal or application under this Part to be heard, in circumstances prescribed in the regulations, with a claim under Chapter 1 of Part 6 of the [Equality Act 2010 \(c. 15\)](#).
- (3) Proceedings before the Tribunal must be held in private, except in prescribed circumstances.
- (4) Part 1 of the [Arbitration Act 1996 \(c. 23\)](#) does not apply to any proceedings before the Tribunal but regulations may make provision corresponding to any provision of that Part.