

ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL (WALES) ACT 2018

EXPLANATORY NOTES

COMMENTARY ON SECTIONS OF THE ACT

Part 3 – Education Tribunal for Wales

Section 91 - Constitution of the Education Tribunal for Wales

190. **Section 91** provides for the Special Education Needs Tribunal for Wales to be renamed as the Education Tribunal for Wales ('the Tribunal'). This section sets out how it is constituted, including that it must have a President, a 'legal chair panel' and a 'lay panel', and provides for their respective appointments. This section also enables the Welsh Ministers to make regulations relating to the Tribunal.

Section 92 - The President and members of the panels

191. **Section 92** sets out the conditions and requirements under which a person may be appointed, re-appointed or may resign as a President, a member of the legal chair panel or a lay panel member of the Tribunal. This section also allows for regulations to be made by the Welsh Ministers in relation to requirements for the appointment of members of the lay panel.

Section 93 – Deputy President of the Tribunal

192. **Section 93** provides for the President of the Tribunal to appoint a Deputy President from among the members of the legal chair panel. The Deputy President may exercise functions of the President in the circumstances set out in subsection (5).

Section 94 - Remuneration and expenses

193. **Section 94** enables the Welsh Ministers to pay for the services of the President, members of the legal chair panel and lay panel members, and the expenses of the Tribunal.