
WELSH STATUTORY INSTRUMENTS

2022 No. 663 (W. 148) (C. 37)

EDUCATION, WALES

**The Additional Learning Needs and Education Tribunal
(Wales) Act 2018 (Amendment of Commencement Order
No. 5 and Commencement Order No. 6) Order 2022**

Made - - - - at 4.31 p.m. on 10
June 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

1. The title of this Order is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Amendment of Commencement Order No. 5 and Commencement Order No. 6) Order 2022.

**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(2) is amended as follows.

- (2) In article 9(2), after “school year” insert “or the 2022-2023 school year”.
- (3) In article 10(1), omit “a nursery class, year 1, year 5, year 9 or”.
- (4) In article 15—
 - (a) in paragraph (1)(c), for “2022” substitute “2023”;
 - (b) in paragraph (2), for “2022” substitute “2023”.
- (5) In article 16(1)(b) omit “a nursery class, year 1, year 5, year 9 or”.

(1) 2018 anaw 2.

(2) S.I. 2021/1243 (W. 315) (C. 68) amended by S.I. 2021/1428 (W. 369) (C. 80).

Amendment of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 6 and Transitional and Saving Provisions) Order 2021

3.—(1) The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 6 and Transitional and Saving Provisions) Order 2021⁽³⁾ is amended as follows.

- (2) In article 9(2), after “school year” insert “or the 2022-2023 school year”.
- (3) In article 10(1), omit “a nursery class, year 1, year 5, year 9 or”.
- (4) In article 15—
 - (a) in paragraph (1)(c), for “2022” substitute “2023”;
 - (b) in paragraph (2), for “2022” substitute “2023”.
- (5) In article 16(1)(b) omit “a nursery class, year 1, year 5, year 9 or”.

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

At 4.31 p.m. on 10 June 2022

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 5 and Transitional and Saving Provisions) Order 2021 and the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 6 and Transitional and Saving Provisions) Order 2021.

These two commencement orders require maintained schools (Commencement Order No. 5) and local authorities (Commencement Order No. 6) to give certain children an IDP notice or a No IDP notice. This Order amends the requirement in relation to the 2021-2022 school year, so that the IDP notice or the No IDP notice can be given during the 2021-2022 school year or the 2022-2023 school year (articles 2(2) and 3(2)). It also makes an amendment which is consequential on that change (articles 2(4) and 3(4)).

This Order also amends the year groups to which an IDP notice or a No IDP notice must be given during the 2022-2023 school year (articles 2(3) and (5) and articles 3(3) and (5)).