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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1182 (W. 267) (C. 33)**

**EDUCATION, WALES**

**The Additional Learning Needs and Education Tribunal  
(Wales) Act 2018 (Commencement No. 1) Order 2020**

*Made* - - - - *28 October 2020*

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 and interpretation**

1.—(1) The title of this Order is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 1) Order 2020.

(2) In this Order, “the Act” means the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

**Provisions coming into force on 2 November 2020**

2. The following provisions of the Act come into force on 2 November 2020—

- (a) section 5;
- (b) section 15;
- (c) section 37;
- (d) section 39;
- (e) sections 45 and 46;
- (f) section 67;
- (g) section 74;
- (h) section 82.

**Provisions coming into force on 2 November 2020 for the purpose of the exercise of powers**

3.—(1) The following provisions of the Act come into force on 2 November 2020 only for the purposes of making regulations—

- (a) section 16;

- (b) section 21;
- (c) section 32;
- (d) section 36;
- (e) section 54;
- (f) section 56;
- (g) section 60;
- (h) section 65;
- (i) sections 75 to 77;
- (j) section 83;
- (k) section 85;
- (l) sections 91(2) and 92;
- (m) section 95;
- (n) section 96 and paragraph 19(1), (4) and (5)(g) and (h) of the Schedule.

(2) The following provisions of the Act come into force on 2 November 2020 only for the purposes of issuing or revising the code under section 4 of the Act—

- (a) section 4(3);
- (b) sections 7 and 8;
- (c) section 47.

**Provisions coming into force on 4 January 2021**

4.—(1) Sections 61 and 62 of the Act come into force on 4 January 2021.

(2) The following provisions of the Act come into force on 4 January 2021 for all remaining purposes—

- (a) section 56(1);
- (b) section 56(4) to (6);
- (c) section 60.

28 October 2020

*Kirsty Williams*  
Minister for Education, one of the Welsh  
Ministers

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(2) There are amendments to section 91 which are not relevant to this Order.

(3) There are amendments to section 4 made by the Data Protection Act 2018 (c. 12), Schedule 19, paragraph 226.

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (“the Act”).

The provisions listed in article 2 come into force fully on 2 November 2020. These provisions comprise powers to make subordinate legislation, interpretation provisions and provisions otherwise related to those powers to make subordinate legislation.

The provisions listed in article 3 also come into force on that date, but only for the purposes of making regulations, or issuing or revising the code under section 4 of the Act.

Article 4 brings into force on 4 January 2021 provisions of the Act related to the designation of additional learning needs co-ordinating officers. It also brings into force, for all remaining purposes, provisions related to the list of independent special post-16 institutions in Wales and England, at which a local authority may secure education or training for a child or young person.