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WELSH STATUTORY INSTRUMENTS

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**2022 No. 891**

**The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 8 and Transitional and Saving Provisions) Order 2022**

**Children for whom the new law does not apply by a certain date**

17.—(1) This article applies to a child—

- (a) who had a statement on 1 September 2022,
- (b) who was during the 2022-2023 school year—
  - (i) under compulsory school age,
  - (ii) of compulsory school age and in a reception class, year 6, year 10 or year 11 or would be in any of those year groups if the child were a registered pupil at a maintained school, and
- (c) in relation to whom an appeal is ongoing on 30 August 2023.

(2) On the transfer day—

- (a) the new law applies in relation to the child, and
- (b) the old law ceases to apply in relation to the child.

(3) In this article “transfer day” means—

- (a) the day after the end of the period within which an appeal could be made, if no appeal has been made;
- (b) unless sub-paragraph (c) applies, the day after the appeal has been finally determined, where an appeal has been made;
- (c) where the local authority is ordered to perform an action as a result of an ongoing appeal being finally determined, the day after which the action is performed, or all of the actions have been performed if there is more than one action.

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**Commencement Information**

**II** Art. 17 in force at made date

**Changes to legislation:**

There are currently no known outstanding effects for the The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 8 and Transitional and Saving Provisions) Order 2022, Section 17.