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WELSH STATUTORY INSTRUMENTS

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**2023 No. 932**

**The Additional Learning Needs and Education Tribunal  
(Wales) Act 2018 (Amendment of Commencement Orders  
No. 5, No. 6, No. 8, No. 13 and No. 14) Order 2023**

**Amendment of the Additional Learning Needs and Education Tribunal (Wales) Act 2018  
(Commencement No. 13 and Transitional and Saving Provisions) Order 2022**

5.—(1) The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 13 and Transitional and Saving Provisions) Order 2022<sup>(1)</sup> is amended as follows.

(2) After article 9 insert—

“9A.—(1) This article applies to a child who on 1 September 2023 has identified special educational needs and who is in year 6 or in year 10 during the 2023-2024 school year.

(2) Unless the new law applies in relation to the child, the governing body which provides the special educational provision to the child must either give an IDP notice or a No IDP notice to the child and the child’s parent during the 2023-2024 school year.”

(3) In article 10—

(a) in paragraph (1), after “article 9” insert “or 9A”.

(b) in paragraph (2), after “school year” insert “or the 2024-2025 school year”.

(4) In article 12(1) after “articles 9,” insert “9A,”.

(5) After article 14 insert—

“14A.—(1) This article applies to a child—

(a) who had identified special educational needs on 1 September 2022,

(b) who was in year 6 or in year 10 during the 2023-2024 school year, and

(c) in relation to whom the new law does not apply on 30 August 2024.

(2) On 31 August 2024—

(a) the new law applies in relation to the child, and

(b) the old law ceases to apply in relation to the child.”

(6) In article 15 for “2024”, in both places it occurs, substitute “2025”.

(7) In article 21(4)(a), after “9(2)” insert “, 9A(2)”.

(8) In article 22(3)(a), after “9(2)” insert “, 9A(2)”.