
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 339

Special Educational Needs and Disability
Tribunal Regulations (Northern Ireland) 2005

PART VI

ADDITIONAL POWERS OF AND
PROVISIONS RELATING TO THE TRIBUNAL

Change of Board (SEN appeals only)

61.—(1) This regulation applies if, after the date on which the disputed decision is taken, the child becomes the responsibility, within the meaning of Article 13 of the 1996 Order, of a Board (“the new Board”) other than the Board which made the disputed decision (“the old Board”).

(2) On receiving evidence that this regulation applies, the President may order that, for all the purposes of the appeal, the name of the new Board be substituted for the old Board.

(3) The old Board, the new Board and the parent shall have an opportunity to be heard before an order is made under paragraph (2).

(4) When an order is made under paragraph (2)—

- (a) the Secretary of the Tribunal shall notify the old Board, the new Board and the parent;
- (b) the old Board shall no longer be a party to the appeal;
- (c) the new Board shall become a party to the appeal;
- (d) these Regulations shall apply as if the new Board had made the disputed decision;
- (e) the Secretary of the Tribunal shall send to the new Board copies of all the documents and written evidence relating to the appeal duly received by the Tribunal from the parent and the old Board;
- (f) the procedure for determining the appeal shall re-start, and regulation 27 shall apply as if the documents and written evidence sent in accordance with sub-paragraph (e) were the notice of appeal referred to in regulation 27(1).