



Education Act 1996

1996 CHAPTER 56

PART IV

SPECIAL EDUCATIONAL NEEDS

CHAPTER I

CHILDREN [^{F1}IN WALES] WITH SPECIAL EDUCATIONAL NEEDS

Code of Practice

313 Code of Practice.

- (1) The [^{F1}Welsh Ministers] shall issue, and may from time to time revise, a code of practice giving practical guidance in respect of the discharge by [^{F2}local authorities] and the governing bodies of [^{F3}maintained schools][^{F4} and maintained nursery schools] of their functions under this Part.
- (2) It shall be the duty of—
 - (a) [^{F2}local authorities], and such governing bodies, exercising functions under this Part, and
 - (b) any other person exercising any function for the purpose of the discharge by [^{F2}local authorities], and such governing bodies, of functions under this Part, to have regard to the provisions of the code.
- (3) On any appeal under this Part to the Tribunal, the Tribunal shall have regard to any provision of the code which appears to the Tribunal to be relevant to any question arising on the appeal.
- (4) The [^{F5}Welsh Ministers] shall publish the code as for the time being in force.
- [^{F6}(5) In this Part ^{F7}..., “the Tribunal”, in relation to an appeal, means [^{F8}the Special Educational Needs Tribunal for Wales.]

Status: Point in time view as at 01/09/2014.

Changes to legislation: Education Act 1996, Section 313 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F⁹(a)
F¹⁰(b)]

Textual Amendments

- F1** Words in s. 313(1) substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 3 para. 12\(2\)](#); S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505)
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 7\(3\)](#) (with Sch. 2 para. 7(4)(5))
- F3** Words in s. 313(1) substituted (1.9.1999) by 1998 c. 31, s. 140(1), [Sch. 30 para. 72](#) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), [Sch. 1](#)
- F4** Words in s. 313(1) inserted (1.9.2003 for E., 31.10.2005 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 36](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.
- F5** Words in s. 313(4) substituted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 3 para. 12\(2\)](#); S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505)
- F6** S. 313(5) substituted (1.9.2003) by [Education Act 2002 \(c. 32\)](#), s. 216(3), [Sch. 18 para. 2](#) (with ss. 210(8), 214(4), Sch. 18 para. 17); S.I. 2002/3185, art. 6, Sch. Pt. III
- F7** Words in s. 313(5) omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 128\(a\)](#)
- F8** Words in s. 313(5) inserted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 3 para. 12\(3\)\(a\)](#); S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505)
- F9** S. 313(5)(a) omitted (1.9.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 3 para. 12\(3\)\(b\)](#); S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505)
- F10** S. 313(5)(b) omitted (1.9.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 3 para. 12\(3\)\(b\)](#); S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505)

Modifications etc. (not altering text)

- C1** Pt. 4 Ch. 1 excluded (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), [ss. 81](#), 139(6); S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505)
- C2** S. 313(2) applied (E.) (1.2.2008) by [The Education \(Pupil Referral Units\) \(Application of Enactments\) \(England\) Regulations 2007 \(S.I. 2007/2979\)](#), reg. 1(1), [Sch. 1 para. 1](#)

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