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WELSH STATUTORY INSTRUMENTS

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**2021 No. 406 (W. 132)**

**EDUCATION, WALES**

**The Education Tribunal for Wales Regulations 2021**

Made - - - - at 2.10 p.m. on 24  
March 2021  
Coming into force 1 September 2021

**THE EDUCATION TRIBUNAL FOR WALES REGULATIONS 2021**

1. Title and commencement
  2. Interpretation
  3. Application
  4. The overriding objective
  5. Parties' obligation to co-operate
  6. Alternative dispute resolution
  7. Lay panel members
  8. Establishment of tribunal panels
  9. Membership of tribunal panel
  10. Period within which proceedings must be commenced
  11. Appeal application
  12. Claim application
  13. Action by the Secretary of the Tribunal
  14. Appeal or claim made out of time
  15. Sufficiency of reasons
  16. Appellant's or claimant's representatives
  17. Case statement periods
  18. Appellant or claimant's case statement
  19. The respondent local authority, FEI governing body or responsible body's case statement and evidence
  20. Change of representative of respondent FEI governing body, local authority or responsible body
  21. Change of local authority in an appeal
  22. Copy documents for parties
  23. Failure to submit a case statement and absence of opposition
- Tribunal enquiries
24. Enquiries by the Secretary of the Tribunal

**Changes to legislation:** There are currently no known outstanding effects for the The Education Tribunal for Wales Regulations 2021. (See end of Document for details)

25. Failure to respond to enquiries made by the Secretary of the Tribunal
26. Power to strike out the appeal or claim
27. Order to amend case statement
28. Evidence and submissions
29. Case management and directions
30. Varying or setting aside directions
31. Particulars and supplementary statements
32. Disclosure of documents and other material
33. Failure to comply with directions
34. Consolidating appeals or claims
35. Consolidating claims together with appeals
36. Addition and substitution of parties
37. Notice of date, place and time of hearings
38. Transfers
39. Power to determine the appeal or claim without a hearing
40. Public and private hearings: arrangements and exceptions
41. Restricted reporting orders
42. Procedure at hearing
43. Evidence at hearing
44. Change of witness
45. Summoning a witness
46. Evidence by telephone, video link or other means
47. Late written evidence
48. Postponement of hearing
49. Adjournments and directions
50. Representation at hearing
51. Failure to attend hearing
52. Tribunal panel's decision

#### After the hearing

53. Application or proposal for review of the Tribunal's decision
54. Review of Tribunal's decision not to extend the period in which proceedings must be commenced
55. Application for permission to appeal to the Upper Tribunal
56. Power to suspend Tribunal's decision
57. Orders of the Upper Tribunal or the Court
58. Compliance with tribunal panel orders - appeals

#### Children who lack capacity and case friends

59. Applications under section 70(3) of the 2018 Act for a declaration under section 71(2) of the 2018 Act relating to child's capacity to understand
60. Who may be a case friend
61. How a person becomes a case friend
62. Steps in proceedings
63. Removing a case friend

#### Miscellaneous

64. NHS bodies – Reports to the Tribunal

## Extension of time

65. (1) Subject to paragraph (2), the President may, on application...
  66. Withdrawal
  67. Orders for costs and expenses
  68. Power to exercise the functions of the President and Chair
  69. Power to exercise the functions of a panel member in relation to a review
  70. The Secretary of the Tribunal
  71. Register
  72. Publication
  73. Irregularities
  74. Proof of documents and certification of decisions
  75. Method of sending, submitting or serving notices and documents
  76. Calculating time
  77. Signature of documents
- Signature  
Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Education Tribunal for Wales Regulations 2021.