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WELSH STATUTORY INSTRUMENTS

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**2021 No. 406**

**The Education Tribunal for Wales Regulations 2021**

*Tribunal enquiries*

**Failure to respond to enquiries made by the Secretary of the Tribunal**

25.—(1) The President may order—

- (a) that the appeal application or the claim application is struck out on the grounds that the appellant's or the claimant's failure to comply with enquiries made by the Secretary of the Tribunal under regulation 24, prejudices, or delays, the fair hearing of the appeal or the claim;
- (b) that the local authority, FEI governing body or the responsible body may not take any further step in the appeal or claim and may not attend the hearing or be represented at the hearing on the grounds of a failure to comply with enquiries made by the Secretary of the Tribunal under regulation 24, prejudices, or delays, the fair hearing of the appeal or the claim.

(2) Before making an order under paragraph (1), the President must give the party against whom the President proposes to make an order a notice inviting representations and must consider any representations made.

(3) For the purposes of this regulation—

- (a) a notice inviting representations must inform the party that within a period (no less than 5 working days) specified in the notice, the party may either make written representations or request an opportunity to make oral representations;
- (b) representations are made if—
  - (i) in the case of written representations, they are made within the specified period, and
  - (ii) in the case of oral representations, the party proposing to make them has requested an opportunity to do so within the specified period.

(4) If an appeal application or a claim application is struck out under paragraph (1)(a), the proceedings to which the appeal or claim relates are considered to be concluded.

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**Commencement Information**

**II** [Reg. 25](#) in force at 1.9.2021, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Education Tribunal for Wales Regulations 2021, Section 25.