



Education (Wales) Measure 2009

2009 nawm 5

PART 1

EDUCATION APPEALS AND CLAIMS BY CHILDREN

Special educational needs appeals

3 Case friends

- (1) The Education Act 1996 (c. 56) is amended in accordance with this section.
- (2) After section 332ZB insert—

“332ZC Case friends — Wales

- (1) The Welsh Ministers may provide by regulations for a child to have a person (referred to in this Part as a “case friend”)—
 - (a) to make representations on behalf of a child with a view to avoiding or resolving disagreements about the exercise by local education authorities in Wales of functions under this Part, and
 - (b) to exercise the rights of a child under section 332ZA on the child's behalf.
- (2) A child's case friend must—
 - (a) make representations and exercise rights fairly and competently,
 - (b) have no interest adverse to that of the child;
 - (c) ensure that all steps and decisions taken by the case friend are for the benefit of the child and take account of the child's views.
- (3) Regulations made under this section may (among other things)—
 - (a) confer functions on the Welsh Tribunal;
 - (b) make provision about procedures in relation to case friends;
 - (c) make provision about the appointment and removal of case friends;

Changes to legislation: Education (Wales) Measure 2009, Section 3 is up to date with all changes known to be in force on or before 25 July 2023. 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) View outstanding changes

- (d) specify the circumstances in which a person may or may not act as a case friend;
- (e) specify the circumstances in which a child must have a case friend;
- (f) specify further requirements in respect of the conduct of case friends.”.

Commencement Information

II S. 3 in force at 10.2.2012 by S.I. 2012/320, art. 2(a)

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Changes and effects yet to be applied to :

- s. 1-7 omitted by [2018 anaw 2 Sch. 1 para. 6\(m\)\(i\)](#)