



Education Act 2002

2002 CHAPTER 32

PART 11

MISCELLANEOUS AND GENERAL

Special educational needs: Wales

^{F1}191 Regional provision for special educational needs in Wales

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Textual Amendments

F1 Ss. 191-193 omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 21\(10\)](#); S.I. 2013/1800, art. 3(j)

^{F1}192 Directions to bring forward proposals to secure regional provision

.....

Textual Amendments

F1 Ss. 191-193 omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 21\(10\)](#); S.I. 2013/1800, art. 3(j)

^{F1}193 Powers of Assembly to make proposals to secure regional provision

.....

Changes to legislation: Education Act 2002, Cross Heading: Special educational needs: Wales is up to date with all changes known to be in force on or before 10 April 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) View outstanding changes

Textual Amendments

F1 Ss. 191-193 omitted (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), Sch. 5 para. 21(10); S.I. 2013/1800, art. 3(j)

194 Welsh [F2local authorities]' powers to make regional provision

- (1) In section 14 of the Education Act 1996 (c. 56) (functions in respect of provision of primary and secondary schools), after subsection (4) there is inserted—
- “(4A) A [F3local authority] for an area in Wales may secure that regional schools for providing—
- (a) primary education, and
 - (b) education that is secondary education by virtue of section 2(2)(a),
- are available for Wales or any part of Wales that includes the area of the authority.
- (4B) For this purpose a “regional school”, in relation to a [F3local authority], is a school maintained by that authority which provides education to meet both—
- (a) the needs of pupils with particular special educational needs in their area, and
 - (b) the needs of such pupils in the rest, or any other part, of Wales, whether or not the institution also provides education suitable to the requirements of other pupils.”

(2) In section 318 of that Act (provision of goods and services in connection with special educational needs)—

F4(a)

(b) after subsection (3A) there is inserted—

“(3B) A [F3local authority] in Wales may supply goods and services to any authority in Wales or other person (other than a governing body within subsection (1)) for the purpose of assisting them in making for a child any special educational provision which any learning difficulty of the child calls for.”

Textual Amendments

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), art. 1, Sch. 2 para. 11(3)

F3 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), art. 1, Sch. 2 para. 11(2)

F4 S. 194(2)(a) omitted (1.9.2014) by virtue of Children and Families Act 2014 (c. 6), s. 139(6), Sch. 3 para. 16(4)(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)

195 The Special Educational Needs Tribunal for Wales

Schedule 18 (the Special Educational Needs Tribunal for Wales) shall have effect.

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Commencement Information

- I1** S. 195 partly in force; s. 195 not in force at Royal Assent, see s. 216; s. 195 in force for certain purposes at 31.3.2003 by [S.I. 2002/3185, art. 5](#), [Sch. Pt. II](#) and for certain further purposes at 1.9.2003 by [S.I. 2002/3185, art. 6](#), [Sch. Pt. III](#)
- I2** S. 195 in force at 31.3.2003 for specified purposes by [S.I. 2002/3185, art. 5](#), [Sch. Pt. II](#)
- I3** S. 195 in force at 1.9.2003 for specified purposes by [S.I. 2002/3185, art. 6](#), [Sch. Pt. III](#)

Changes to legislation:

Education Act 2002, Cross Heading: Special educational needs: Wales is up to date with all changes known to be in force on or before 10 April 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.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)