

**Changes to legislation:** Equality Act 2010, Paragraph 3A is up to date with all changes known to be in force on or before 26 March 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

## SCHEDULES

### SCHEDULE 17

#### DISABLED PUPILS: ENFORCEMENT

##### Modifications etc. (not altering text)

- C1** Sch. 17: power to amend or repeal conferred (10.2.2012) by Education (Wales) Measure 2009 (nawm 5), s. 18(2)(c) (as amended by [S.I. 2011/1651](#), [art. 12\(b\)](#)); [S.I. 2012/320](#), [art. 2\(g\)](#))

#### PART 2

#### TRIBUNALS IN ENGLAND AND WALES

##### *[<sup>F1</sup>Jurisdiction — Wales*

##### Textual Amendments

- F1** Sch. 17 para. 3A and cross-heading inserted (E.W.) (6.3.2012) by Education (Wales) Measure 2009 (nawm 5), s. 9(3) (as substituted (6.7.2011) by The Right of a Child to Make a [Disability Discrimination Claim \(Schools\) \(Wales\) Order 2011](#) ([S.I. 2011/1651](#)), [art. 3](#)); [S.I. 2012/320](#), [art. 3\(f\)](#))

- 3A (1) A claim that a responsible body for a school in Wales has contravened Chapter 1 of Part 6 in relation to a person because of disability may be made to the Tribunal by—
- <sup>F2</sup>(a) the person (including a child not over compulsory school age), or
- (b) if the person is a child not over compulsory school age, the person's parent].
- (2) But this paragraph does not apply to a claim to which paragraph 13 or 14 applies.
- <sup>F3</sup>(3) .....
- (4) The exercise of rights under this paragraph is subject to provision made by regulations under paragraphs 6 and [<sup>F4</sup>6A(7)].]

##### Textual Amendments

- F2** Sch. 17 para. 3A(1)(a)(b) substituted for words in Sch. 17 para. 3A(1) (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) (anaw 2), s. 100(3), [Sch. 1 para. 19\(5\)\(d\)\(i\)](#); [S.I. 2021/373](#), [art. 8\(j\)\(xxxiii\)](#))
- F3** Sch. 17 para. 3A(3) omitted (1.9.2021) by virtue of [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) (anaw 2), s. 100(3), [Sch. 1 para. 19\(5\)\(d\)\(ii\)](#); [S.I. 2021/373](#), [art. 8\(j\)\(xxxiii\)](#))
- F4** Word in Sch. 17 para. 3A(4) substituted (1.9.2021) by virtue of [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) (anaw 2), s. 100(3), [Sch. 1 para. 19\(5\)\(d\)\(iii\)](#); [S.I. 2021/373](#), [art. 8\(j\)\(xxxiii\)](#))

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**Modifications etc. (not altering text)**

- C1** Sch. 17 para. 3A(1)(a) modified (W.) (1.9.2021) by [The Equality Act 2010 \(Capacity of parents and persons over compulsory school age\) \(Wales\) Regulations 2021 \(S.I. 2021/403\)](#), regs. 1(2), [4](#)
- C2** Sch. 17 para. 3A(1)(b) modified (W.) (1.9.2021) by [The Equality Act 2010 \(Capacity of parents and persons over compulsory school age\) \(Wales\) Regulations 2021 \(S.I. 2021/403\)](#), regs. 1(2), [3](#)

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**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. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)