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WELSH STATUTORY INSTRUMENTS

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**2011 No. 1651**

**The Right of a Child to Make a Disability  
Discrimination Claim (Schools) (Wales) Order 2011**

**Role of the Welsh Ministers**

**10.** For section 16 of the Measure (procedure for making regulations), substitute—

**“16 Role of Welsh Ministers**

(1) Schedule 17 to the Equality Act 2010 is amended in accordance with this section.

(2) After paragraph 6D (independent advocacy services — Wales) insert—

**“6E Power of direction — Wales**

(1) If the Welsh Ministers are satisfied (whether on a complaint or otherwise) that a local authority—

- (a) has acted, or is proposing to act, unreasonably in the discharge of a duty imposed by or under paragraph 6B, 6C or 6D, or
- (b) has failed to discharge a duty imposed by or under any of those paragraphs,

they may give that local authority such directions as to the discharge of the duty as appear to them to be expedient.

(2) A direction may be given under sub-paragraph (1) even if the performance of the duty is contingent on the opinion of the local authority.

(3) A direction—

- (a) may be varied or revoked by the Welsh Ministers;
- (b) may be enforced, on the application of the Welsh Ministers, by a mandatory order obtained in accordance with section 31 of the Senior Courts Act 1981.”.