



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 1 Mehefin 2009
Tabled on 1 June 2009

Y Mesur Arfaethedig Bwyta'n Iach mewn Ysgolion (Cymru)
Proposed Healthy Eating in Schools (Wales) Measure

Jenny Randerson

1

Page 2, line 1, leave out section 1 and insert –

'(1) Promoting healthy eating and drinking in maintained schools

- (1) A local authority must take action to promote healthy eating and drinking by registered pupils of maintained schools in its area.
- (2) The governing body of a maintained school must take action to promote healthy eating and drinking by registered pupils of the school.
- (3) In discharging those duties a local authority and a governing body must have regard to guidance issued from time to time by the Welsh Ministers –
 - (a) on what constitutes healthy eating and drinking;
 - (b) on appropriate action to promote healthy eating and drinking;
 - (c) on how principles of sustainable development are to apply in relation to the promotion of healthy eating and drinking.
- (4) In discharging its duty under subsection (1) a local authority must –
 - (a) from time to time consult the school council of any maintained school in its area which has one; and

- (b) have regard to any view which such a school council may at any time express as to how that duty should be discharged.
- (5) In discharging its duty under subsection (2) a governing body of a maintained school must –
 - (a) if that school has a school council, from time to time consult that school council; and
 - (b) have regard to any view which that school council may at any time express as to how that duty should be discharged.
- (6) The Welsh Ministers must from time to time give guidance to local authorities and governing bodies as to the matters referred to in subsection (3)(a),(b) and (c). ‘.

Tudalen 2, llinell 1, gadewch allan adran 1 ac ychwanegwch –

() Hybu bwyta ac yfed yn iach mewn ysgolion a gynhelir

- (1) Rhaid i awdurdod lleol gymryd camau i annog disgyblion cofrestredig ysgolion a gynhelir yn ei ardal i fwyta ac yfed yn iach.
- (2) Rhaid i gorff llywodraethu ysgol a gynhelir gymryd camau i annog disgyblion cofrestredig yr ysgol i fwyta ac yfed yn iach.
- (3) Wrth gyflawni’r dyletswyddau hyn rhaid i awdurdod lleol a chorff llywodraethu roi sylw i ganllawiau a ddyroddir o bryd i’w gilydd gan Weinidogion Cymru –
 - (a) ynghylch beth mae bwyta ac yfed yn iach yn ei olygu;
 - (b) ynghylch y camau priodol i’w cymryd er mwyn hybu bwyta ac yfed yn iach;
 - (c) ynghylch sut y mae egwyddorion datblygu cynaliadwy i fod yn gymwys mewn perthynas â hybu bwyta ac yfed yn iach.
- (4) Wrth gyflawni ei ddyletswydd o dan is-adran (1) rhaid i awdurdod lleol –
 - (a) ymgynghori o dro i dro â chyngor ysgol unrhyw ysgol a gynhelir yn ei ardal y mae un ganddi; a
 - (b) rhoi sylw i unrhyw farn a fynegir ar unrhyw adeg gan gyngor ysgol o’r fath ynghylch sut y dylai’r ddyletswydd honno gael ei chyflawni.
- (5) Wrth gyflawni ei ddyletswydd o dan is-adran (2) rhaid i gorff llywodraethu ysgol a gynhelir –
 - (a) os oes gan yr ysgol honno gyngor ysgol, ymgynghori o dro i dro â’r cyngor ysgol hwnnw; a
 - (b) rhoi sylw i unrhyw farn a fynegir ar unrhyw adeg gan y cyngor ysgol hwnnw ynghylch sut y dylai’r ddyletswydd honno gael ei chyflawni.
- (6) Rhaid i Weinidogion Cymru ddyroddi canllawiau o dro i dro i awdurdodau lleol a chyrrff llywodraethu ynghylch y materion y cyfeirir atynt yn is-adran (3)(a), (b) ac (c). ‘.

Jenny Randerson

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Page 2, line 32, leave out section 2 and insert –

(1) Duties on the Welsh Ministers

The Welsh Ministers must –

- (a) (a) when exercising their functions relating to the curriculum in maintained schools; and
- (b) (b) when deciding whether to exercise their power to make regulations under section 7 and in what way to do so;

have regard to the aim of promoting healthy eating and drinking.’.

Tudalen 2, llinell 33, gadewch allan adran 2 ac ychwanegwch –

(1) Dyletswyddau Gweinidogion Cymru

Rhaid i Weinidogion Cymru –

- (a) wrth arfer eu swyddogaethau ynglŷn â’r cwricwlwm mewn ysgolion a gynhelir; a
- (b) wrth benderfynu a ddylid arfer eu pŵer i wneud rheoliadau o dan adran 7 ac ym mha fodd i wneud hynny;

roi sylw i’r nod o hybu bwyta ac yfed yn iach.’.

Jenny Randerson

3

Page 3, line 2, leave out section 3.

Tudalen 3, llinell 2, gadewch allan adran 3.

Jenny Randerson

4

Page 3, line 8, leave out section 4 and insert –

(1) Governors’ reports

In section 30 of the 2002 Act (governors’ reports (Wales) and other information), after subsection (2) insert –

“(2A) The governing body of a maintained school in Wales must include in a governors’ report information about the action taken to promote healthy eating and drinking by pupils at the school and the extent to which that action appears to have been successful.” ‘.

Tudalen 3, llinell 8, gadewch allan adran 4 ac ychwanegwch –

(i) Adroddiadau llywodraethwyr

Yn adran 30 o Ddeddf 2002 (adroddiadau llywodraethwyr (Cymru) a gwybodaeth arall), ar ôl is-adran (2) mewnosoder –

“(2A) The governing body of a maintained school in Wales must include in a governors’ report information about the action taken to promote healthy eating and drinking by pupils at the school and the extent to which that action appears to have been successful.” ‘.

Jenny Randerson

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Page 3, line 15, leave out section 5 and insert –

(i) Functions of the Chief Inspector of Education and Training in Wales

(1) The 2005 Act is amended as follows.

(2) In section 20(1) (functions of chief inspector), after paragraph (f), insert –

“(g) actions taken at maintained schools to promote healthy eating and drinking.”

(3) In section 31(1) (interpretation of chapter 3), after the definition of “the Chief Inspector” insert –

““maintained school” means a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school or a pupil referral unit in Wales.” ‘.

Tudalen 3, llinell 15, gadewch allan adran 5 ac ychwanegwch –

(i) Swyddogaethau'r Prif Arolygydd dros Addysg a Hyfforddiant yng Nghymru

(1) Deddf Addysg 2005 fel a ganlyn.

(2) Yn adran 20(1) (swyddogaethau'r prif arolygydd), ar ôl paragraff (f), mewnosoder –

“(g) actions taken at maintained schools to promote healthy eating and drinking.”

(3) Yn adran 31(1) (dehongli pennod 3) ar ôl diffiniad “the Chief Inspector” mewnosoder –

““maintained school” means a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school or a pupil referral unit in Wales.” ‘.

Jenny Randerson

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Section 6, page 3, line 27, after ‘eating’, insert ‘and drinking’.

Adran 6, tudalen 3, llinell 27, gadewch allan ‘bwyta’n ac ychwanegwch ‘bwyta ac yfed yn’.

Jenny Randerson

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Section 6, page 3, line 27, leave out 'schools maintained by local education authorities in Wales' and insert 'maintained schools'.

Adran 6, tudalen 3, llinell 27, gadewch allan 'gan awdurdodau addysg lleol yng Nghymru'.

Jenny Randerson

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Section 6, page 3, line 29, after 'eating', insert 'and drinking'.

Adran 6, tudalen 3, llinell 29, gadewch allan 'bwyta'n ac ychwanegwch 'bwyta ac yfed yn'.

Jenny Randerson

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Section 6, page 3, line 31, after 'information', insert 'relating to the promotion of healthy eating and drinking in maintained schools'.

Adran 6, tudalen 3, llinell 31, ar ôl 'gwybodaeth', ychwanegwch 'ynghylch hybu bwyta ac yfed yn iach mewn ysgolion a gynhelir'.

Jenny Randerson

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Section 6, page 3, line 31, leave out 'of Schools'.

Adran 6, tudalen 3, llinell 31, gadewch allan 'Ysgolion'.

Jenny Randerson

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Section 6, page 3, line 34, leave out 'of Schools'.

Adran 6, tudalen 3, llinell 34, gadewch allan 'Ysgolion'.

Jenny Randerson

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Section 6, page 3, line 36, leave out 'duty under section 1(1) is', and insert 'duties under sections 1(1) and (2) are'.

Adran 6, tudalen 3, llinell 36, gadewch allan 'ddyletswydd o dan adran 1(1) yn cael ei chyflawni'n', ac ychwanegwch 'dyletswyddau o dan adran 1(1) a (2) yn cael eu cyflawni'n'.

Jenny Randerson

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Section 7, page 4, line 5, leave out 'school maintained by a local education authority in Wales' and insert 'maintained school'.

Adran 7, tudalen 4, llinell 5, gadewch allan 'gan awdurdod addysg lleol yng Nghymru'.

Jenny Randerson

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Section 7, page 4, line 8, leave out 'education authority in Wales or the governing body of a school maintained by such an authority' and insert 'authority or the governing body of a maintained school'.

Adran 7, tudalen 4, llinell 8, gadewch allan 'addysg lleol yng Nghymru neu gan gorff llywodraethu ysgol a gynhelir gan awdurdod o'r fath' ac ychwanegwch 'neu gan gorff llywodraethu ysgol a gynhelir'.

Jenny Randerson

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Section 7, page 4, at the beginning of line 12, insert 'saturated'.

Adran 7, tudalen 4, llinell 13, ar ôl 'braster' ychwanegwch 'dirlawn'.

Jenny Randerson

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Section 7, page 4, line 22, leave out 'school maintained by a local education authority' and insert 'maintained school'.

Adran 7, tudalen 4, llinell 24, gadewch allan 'gan awdurdod addysg lleol'.

Jenny Randerson

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Section 7, page 4, line 25, leave out 'education authority in Wales or the governing body of a school maintained by such an authority' and insert 'authority or the governing body of a maintained school'.

Adran 7, tudalen 4, llinell 27, gadewch allan 'addysg lleol yng Nghymru neu gan gorff llywodraethu ysgol a gynhelir gan awdurdod o'r fath' ac ychwanegwch 'neu gan gorff llywodraethu ysgol a gynhelir'.

Jenny Randerson

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Section 7, page 4, line 34, leave out 'school maintained by a local education authority in Wales' and insert 'maintained school'.

Adran 7, tudalen 4, llinell 38, gadewch allan 'gan awdurdod addysg lleol yng Nghymru'.

Jenny Randerson

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Section 7, page 5, line 20, leave out 'school maintained by a local education authority' and insert 'maintained school'.

Adran 7, tudalen 5, llinell 23, gadewch allan 'gan awdurdod addysg lleol'.

Jenny Randerson

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Section 7, page 5, line 21, leave out 'education'.

Adran 7, tudalen 5, llinell 26, gadewch allan 'addysg'.

Jenny Randerson

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Section 8, page 5, line 30, leave out 'education authority in Wales' and insert 'authority.'

Adran 8, tudalen 5, llinell 34, gadewch allan 'addysg' ac ychwanegwch 'lleol'.

Jenny Randerson

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Section 8, page 5, line 32, leave out 'education'.

Adran 8, tudalen 5, llinell 36, gadewch allan 'addysg'.

Jenny Randerson

23

Section 9, page 6, line 2, leave out –

'education authority in Wales must –

- (a) promote the availability of school meals in schools which it maintains and other educational establishments under its management; and
- (b) encourage pupils who attend those schools and other educational establishments to consume school meals.

- (2) In particular, an education authority in Wales must take reasonable steps to ensure that every pupil who is entitled to receive school lunches free of charge receives those lunches.'

and insert –

'authority or governing body of a maintained school which provides school meals or milk under section 512 of the 1996 Act must –

- (a) encourage the take-up of school meals and milk; and
 - (b) take reasonable steps to ensure that every pupil who is entitled to receive school lunches and milk free of charge under section 512ZB of the 1996 Act does receive them.
- (2) The Welsh Ministers must issue guidance to local authorities and the governing bodies of maintained schools as to how best to discharge their duties under subsection (1).
- (3) Local authorities and governing bodies of maintained schools must, when deciding how to discharge such duties, have regard to guidance issued to them under subsection (2).'

Adran 9, tudalen 6, llinell 2, gadewch allan –

'addysg lleol yng Nghymru –

- (a) hybu argaeledd prydau ysgol mewn ysgolion y mae'n eu cynnal ac mewn sefydliadau addysgol eraill sydd o dan ei reolaeth; ac
 - (b) annog disgyblion sy'n mynychu'r ysgolion a'r sefydliadau addysgol eraill hynny i fwyta prydau ysgol.
- (2) Yn benodol, rhaid i awdurdod addysg lleol yng Nghymru gymryd camau rhesymol i sicrhau bod pob disgybl y mae ganddo hawl i gael cinio ysgol am ddim yn cael y cinio hwnnw.'

ac ychwanegwch –

'lleol neu gorff llywodraethu ysgol a gynhelir sy'n darparu prydau ysgol neu laeth o dan adran 512 o Ddeddf 1996 –

- (a) hybu defnyddio prydau a llaeth ysgol; a
 - (b) cymryd camau rhesymol i sicrhau bod pob disgybl sydd â hawl i gael cinio ysgol a llaeth yn rhad ac am ddim o dan adran 512ZB o Ddeddf 1996 yn eu cael.
- (2) Rhaid i Weinidogion Cymru ddyroddi canllawiau i awdurdodau lleol a chyrrff llywodraethu ysgolion a gynhelir ynghylch y ffordd orau i gyflawni eu dyletswyddau o dan is-adran (1).
- (3) Wrth benderfynu sut i gyflawni eu dyletswyddau, rhaid i awdurdodau lleol a chyrrff llywodraethu ysgolion a gynhelir roi sylw i ganllawiau a ddyroddir iddynt o dan is-adran (2).'

Jenny Randerson

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Section 10, page 6, line 11, leave out '512A' and insert '512ZB'.

Adran 10, tudalen 6, llinell 11, gadewch allan '512A' ac ychwanegwch '512ZB'.

Jenny Randerson

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Section 10, page 6, line 12, leave out '512B' and insert '512ZC'.

Adran 10, tudalen 6, llinell 12, gadewch allan '512B' ac ychwanegwch '512ZC'.

Jenny Randerson

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Section 10, page 6, line 12, after 'lunches', insert 'or milk'.

Adran 10, tudalen 6, llinell 12, ar ôl 'lunches', ychwanegwch 'or milk'.

Jenny Randerson

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Section 10, page 6, line 13, after 'lunch' insert 'or milk'.

Adran 10, tudalen 6, llinell 13, ar ôl 'lunch' ychwanegwch 'or milk'.

Jenny Randerson

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Section 10, page 6, line 14, leave out 'virtue of section 512ZB' and insert 'a local education authority under section 512ZB or by the governing body of a maintained school by virtue of section 512A'.

Adran 10, tudalen 6, llinell 14, gadewch allan 'virtue of section 512ZB' ac ychwanegwch 'a local education authority under section 512ZB or by the governing body of a maintained school by virtue of section 512A'.

Jenny Randerson

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Section 10, page 6, line 16, after 'lunch' insert 'or milk'.

Adran 10, tudalen 6, llinell 16, ar ôl 'lunch' ychwanegwch 'or milk'.

Jenny Randerson

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Section 10, page 6, line 15, after 'authority', insert 'or governing body'.

Adran 10, tudalen 6, llinell 15, ar ôl 'authority', ychwanegwch 'or governing body'.

Jenny Randerson

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Section 10, page 6, line 18, after 'authority', insert 'or governing body'.

Adran 10, tudalen 6, llinell 18, ar ôl 'authority', ychwanegwch 'or governing body'.

Jenny Randerson

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Section 10, page 6, line 21, after 'lunches', insert 'or milk'.

Adran 10, tudalen 6, llinell 21, ar ôl 'lunches', ychwanegwch 'or milk'.

Jenny Randerson

33

Section 10, page 6, line 28, after 'authority', insert 'or governing body'.

Adran 10, tudalen 6, llinell 28, ar ôl 'authority', ychwanegwch 'or governing body'.

Jenny Randerson

34

Section 10, page 6, line 32, after 'authority', insert 'or governing body'.

Adran 10, tudalen 6, llinell 32, ar ôl 'authority', ychwanegwch 'or governing body'.

Jenny Randerson

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Section 10, page 6, line 35, after 'authority', insert 'or governing body'.

Adran 10, tudalen 6, llinell 35, ar ôl 'authority', ychwanegwch 'or governing body'.

Jenny Randerson

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Section 10, page 6, after line 33, insert –

‘() The Welsh Ministers must issue guidance to local education authorities and governing bodies of maintained schools in Wales as to how best to discharge their duties under subsections (1), (2) and (3).’.

Adran 10, tudalen 6, ar ôl llinell 33, ychwanegwch –

‘() The Welsh Ministers must issue guidance to local education authorities and governing bodies of maintained schools in Wales as to how best to discharge their duties under subsections (1), (2) and (3).’.

Jenny Randerson

37

Section 10, page 7, line 1, leave out ‘this section’ and insert ‘subsection 6’.

Adran 10, tudalen 7, llinell 1, gadewch allan ‘this section’ ac ychwanegwch ‘subsection 6’.

Jenny Randerson

38

Section 13, page 7, line 28, leave out subsection (5).

Adran 13, tudalen 7, llinell 30, gadewch allan is-adran (5).

Jenny Randerson

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Page 8, line 2, leave out section 14.

Tudalen 8, llinell 2, gadewch allan adran 14.

Jenny Randerson

40

Section 15, page 8, line 18, leave out, ‘and “healthy eating” is defined in section 3.’ and insert –

‘ “the Chief Inspector” means the Chief Inspector of Education and Training in Wales;

“local authority” means a local education authority in Wales; and

“maintained school” means a community, foundation or voluntary school, a community or foundation special school, or a maintained nursery school or a pupil referral unit in Wales.’.

Adran 15, tudalen 8, llinell 14, gadewch allan, 'mae "bwyta'n iach" wedi'i ddiffinio yn adran 3;' ac ychwanegwch –

'ystyr "awdurdod lleol" yw awdurdod addysg lleol yng Nghymru;'

Adran 15, tudalen 8, ar ôl llinell 19 ychwanegwch –

'ystyr "y Prif Arolygydd" yw'r Prif Arolygydd dros Addysg a Hyfforddiant yng Nghymru; ac

ystyr "ysgol a gynhelir" yw ysgol gymunedol, sefydledig neu wirfoddol, ysgol arbennig gymunedol neu sefydledig, neu ysgol feithrin a gynhelir neu uned cyfeirio disgyblion yng Nghymru.'

Jenny Randerson

41

Long title, page 1, line 5, leave out 'in schools in Wales' and insert 'and drinking by pupils in maintained schools in Wales; to provide for the regulation of food and drink provided to pupils in maintained schools by the governing bodies of those schools or local authorities'.

Teitl hir, tudalen 1, llinell 4, gadewch allan 'bwyta'n iach mewn ysgolion yng Nghymru' a rhowch yn ei le 'disgyblion mewn ysgolion a gynhelir yng Nghymru i fwyta ac yfed yn iach; i ddarparu ar gyfer rheoleiddio gan gyrff llywodraethu'r ysgolion hynny neu awdurdodau lleol fwyd a diod a ddarperir ar gyfer disgyblion mewn ysgolion a gynhelir'.