



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

GRWPIO GWELLIANNAU GROUPINGS OF AMENDMENTS

Mesur Arfaethedig ynghylch Teithio gan Ddysgwyr (Cymru)
Proposed Learner Travel (Wales) Measure

Trafodion Cyfnod 3 ar 30 Medi 2008

Stage 3 proceedings on 30 September 2008

Mae'r ddogfen hon yn nodi ym mha drefn y caiff y gwelliannau eu trafod ac unrhyw wybodaeth berthnasol yn ymwneud â'r gweithdrefnau sy'n berthnasol i bob grŵp. Nid yw'r rhestr yn disodli'r rhestr o welliannau wedi'u gosod mewn trefn.

This document provides the order in which amendments will be debated and any relevant procedural information relevant to each group. This list does not replace the marshalled list, which sets out the amendments in the order in which they will be disposed of.

Places where nursery education is provided

Mannau lle y darperir addysg feithrin

24

Duty to assess learner travel needs and to make transport arrangements in respect of education provided by schools of a religious character

Dyletswydd i asesu anghenion dysgwyr ac i wneud trefniadau cludo ar gyfer addysg a ddarperir gan ysgol sy'n grefyddol o ran ei chymeriad

1, 3

Duty to assess learner travel needs and to make transport arrangements in respect of education provided through the medium of the Welsh or English language

Dyletswydd i asesu anghenion dysgwyr ac i wneud trefniadau cludo ar gyfer addysg a gyflwynir drwy gyfrwng y Gymraeg neu'r Saesneg

10, 11

Miscellaneous drafting

Drafftio amrywiol

2, 6

Availability of transport arrangements

Y trefniadau trafnidiaeth sydd ar gael

27, 4, 18, 5, 19

Notes on the amendments in this group

If amendment 4 is agreed to, amendments 18 and 19 fall.

Provisions as they apply to learners with Special Educational Needs

Darpariaethau sy'n berthnasol i ddysgwyr ag anghenion addysgol arbennig

20, 21, 22

Travel arrangements - post 16-education

Trefniadau teithio - addysg ôl-16

23

Promoting access to education and training

Hybu mynediad i addysg a hyfforddiant

12, 13

Withdrawal of travel arrangements

Tynnu'n ôl drefniadau teithio

7, 8, 15, 9

Notes on the amendments in this group

If amendment 7 is not agreed to, amendments 8, 15 and 9 fall.

If amendment 15 is agreed to, amendment 9 falls.

Guidance on types of vehicle and their operation

Canllawiau ar y mathau o gerbydau a'u gweithredu

16

Reports on the exercise of functions under this Measure

Adroddiadau ar arfer swyddogaethau o dan y Mesur hwn

28, 29

Places where nursery education is provided

Mannau lle y darperir addysg feithrin

Kirsty Williams

24

Section 1, page 4, after line 4, insert –

- () by any other person who is in receipt of financial assistance from the Welsh Ministers for the purpose of providing that education or to enable that person to meet costs ancillary to that purpose and irrespective of whether that financial assistance is provided to that person directly by the Welsh Ministers or by another person (other than a local authority) by funds provided to that other person by the Welsh Ministers;’.

Adran 1, tudalen 4, ar ôl llinell 4, ychwanegwch –

- () gan unrhyw berson arall sy’n cael cymorth ariannol oddi wrth Weinidogion Cymru er mwyn darparu’r addysg honno neu i alluogi’r person hwnnw i dalu costau sy’n atodol i’r diben hwnnw ac ni waeth a yw’r cymorth ariannol hwnnw’n cael ei ddarparu i’r person hwnnw yn uniongyrchol gan Weinidogion Cymru ynteu gan berson arall (heblaw awdurdod lleol) drwy gyllid a ddarparwyd i’r person arall hwnnw gan Weinidogion Cymru;’.

Duty to assess learner travel needs and to make transport arrangements in respect of education provided by schools of a religious character

Dyletswydd i asesu anghenion dysgwyr ac i wneud trefniadau cludo ar gyfer addysg a ddarperir gan ysgol sy’n grefyddol o ran ei chymeriad

Ieuan Wyn Jones

1

Section 2, page 4, leave out lines 27 to 29.

Adran 2, tudalen 4, gadewch allan linellau 27 hyd at 29

Ieuan Wyn Jones

3

Section 3, page 7, line 20, leave out subsection (6A).

Adran 3, tudalen 7, llinell 21, gadewch allan is-adran (6A).

Duty to assess learner travel needs and to make transport arrangements in respect of education provided through the medium of the Welsh or English language

Dyletswydd i asesu anghenion dysgwyr ac i wneud trefniadau cludo ar gyfer addysg a gyflwynir drwy gyfrwng y Gymraeg neu'r Saesneg

Alun Cairns

Supported by/Gyda chefnogaeth: Kirsty Williams

10

Section 2, page 4, after line 29, insert –

() the needs of learners whose parents wish, or in the case of learners who are adults, who themselves wish, that teaching to be delivered primarily through the medium of the Welsh language or, alternatively, of the English language.’

Adran 2, tudalen 4, ar ôl llinell 29, ychwanegwch –

() anghenion dysgwyr y mae eu rhieni'n dymuno, neu yn achos dysgwyr sy'n oedolion, sydd eu hunain yn dymuno i'r addysgu hwinnw gael ei gyflwyno yn bennaf drwy gyfrwng y Gymraeg neu, fel arall, drwy gyfrwng y Saesneg.’

Alun Cairns

Supported by/Gyda chefnogaeth: Kirsty Williams

11

Section 3, page 7, after line 23, insert –

() For the purposes of each paragraph (b) in the second column of the table in this section, the school or unit is not suitable for the child if the parents of the child wish that the teaching or training should be delivered to the child primarily through the medium of the Welsh language or, alternatively, of the English language, and the teaching or training provided there are not primarily provided through the medium of that language.’

Adran 3, tudalen 7, ar ôl llinell 24, ychwanegwch –

() At ddibenion pob paragraff (b) yn ail golofn y tabl yn yr adran hon, nid yw'r ysgol neu'r uned yn addas i'r plentyn os yw rhieni'r plentyn yn dymuno i'r addysgu neu'r hyfforddi gael ei gyflwyno i'r plentyn yn bennaf drwy gyfrwng y Gymraeg neu, fel arall, drwy gyfrwng y Saesneg, ac nad yw'r addysgu neu'r hyfforddi a ddarperir yno yn cael ei ddarparu'n bennaf drwy gyfrwng yr iaith honno.’

Miscellaneous drafting

Drafftio amrywiol

Ieuan Wyn Jones

2

Section 3, page 6, line 12, column 2, after ‘been’, insert ‘made’.

Nid oes angen diwygio'r fersiwn Gymraeg. There is no need to amend the Welsh version.

Ieuan Wyn Jones

6

Section 3, page 7, line 35, leave out 'sections (1)(b) and (c)' and insert 'paragraphs (b) and (c) of subsection (1)'.

Adran 3, tudalen 7, llinell 36, gadewch allan 'adrannau (1)(b) ac (c)' ac ychwanegwch 'paragraffau (b) ac (c) o is-adran (1)'.

Availability of transport arrangements
Y trefniadau trafnidiaeth sydd ar gael

Kirsty Williams

27

Section 3, page 7, line 25, after 'route', insert 'and "nearer to the place where the child is ordinarily resident" means nearer using the transport arrangements made by the local authority.'

Adran 3, tudalen 7, llinell 26, ar ôl 'gael', ychwanegwch 'ac ystyr "nes at y man lle y mae'r plentyn yn preswyllo fel arfer" yw nes drwy ddefnyddio'r trefniadau teithio a wnaed gan yr awdurdod lleol.'

Ieuan Wyn Jones

4

Section 3, page 7, line 28, leave out 'along a footway or a footpath'.

Adran 3, tudalen 7, llinell 29, gadewch allan 'ar hyd troedffordd neu lwybr troed'.

Alun Cairns

18

Section 3, page 7, line 28, after 'footpath', insert ', in either case lit during the hours of darkness,'.

Adran 3, tudalen 7, llinell 29, ar ôl 'lwybr troed' ychwanegwch ', a'r rheiny, yn y naill achos neu'r llall, wedi'u goleuo yn ystod oriau'r tywyllwch,'.

Ieuan Wyn Jones

5

Section 3, page 7, line 31, leave out subsection (8A).

Adran 3, tudalen 7, llinell 32, gadewch allan is-adran (8A).

Alun Cairns

19

Supported by /Gyda chefnogaeth Kirsty Williams

Section 24, page 20, after line 8, insert –

““footpath” (“llwybr troed”) means a highway over which the public have a right of way on foot only, not being a footway;

“footway” (“troedffordd”) means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;’.

Adran 24, tudalen 20, ar ôl llinell 27, ychwanegwch—

‘ystyr “llwybr troed” (“*footpath*”) yw priffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig, nad yw’n droedffordd;’.

Adran 24, tudalen 20, ar ôl llinell 38, ychwanegwch—

‘ystyr “troedffordd” (“*footway*”) yw ffordd sy’n rhan o briffordd sydd hefyd yn cynnwys cerbyttffordd, ac sy’n ffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig;’.

Provisions as they apply to learners with Special Educational Needs

Darpariaethau sy’n berthnasol i ddysgwyr ag anghenion addysgol arbennig

Alun Cairns

20

Section 5, page 9, at the beginning of line 2, insert –

‘(1) Subject to subsection (2),’.

Adran 5, tudalen 9, ar ddechrau llinell 2, ychwanegwch—

‘(1) Yn ddarostyngedig i is-adran (2),’.

Alun Cairns

21

Section 5, page 9, after line 7, insert –

‘(2) Subsection (1) does not apply in relation to learners with special educational needs.’.

Adran 5, tudalen 9, ar ôl llinell 7, ychwanegwch—

‘(2) Nid yw is-adran (1) yn gymwys mewn perthynas â dysgwyr sydd ag anghenion addysgol arbennig.’.

Alun Cairns

22

Section 7, page 9, after line 30, insert –

‘() Welsh Ministers must make regulations making provision about travel arrangements for learners with special educational needs to and from the places where they receive education and training.’.

Adran 7, tudalen 9, ar ôl llinell 31, ychwanegwch—

() Rhaid i Weinidogion Cymru wneud rheoliadau sy'n gwneud darpariaeth ynghylch trefniadau teithio i ddysgwyr ag anghenion addysgol arbennig i'r manau lle y maent yn cael addysg a hyfforddiant ac oddi yno.'

Travel arrangements - post 16-education

Trefniadau teithio - addysg ôl-16

Alun Cairns

23

Section 7, page 9, line 29, leave out 'may' and insert 'must'.

Adran 7, tudalen 9, llinell 30, gadewch allan 'Caiff rheoliadau' ac ychwanegwch 'Rhaid i reoliadau'.

Promoting access to education and training

Hybu mynediad i addysg a hyfforddiant

Alun Cairns

12

Section 10, page 11, after line 24, insert—

() Each local authority and Welsh Ministers must promote access to education and training by schools of a religious character when exercising functions under this Measure.'

Adran 10, tudalen 11, ar ôl llinell 26, ychwanegwch—

() Rhaid i bob awdurdod lleol a Gweinidogion Cymru hybu mynediad i addysg a hyfforddiant gan ysgolion sy'n grefyddol o ran eu cymeriad wrth arfer swyddogaethau o dan y Mesur hwn.'

Alun Cairns

13

Section 15, page 14, line 35, after '6', insert 'or promoting access under section 10,'.

Adran 15, tudalen 14, llinell 36, ar ôl '6', ychwanegwch 'neu wrth hybu mynediad o dan adran 10,'.

Withdrawal of travel arrangements

Tynnu'n ôl drefniadau teithio

Ieuan Wyn Jones

7

Section 14, page 14, after line 25, insert –

- '(14) Regulations may –
- (a) amend or repeal either or both of subsections (9) and (10);
 - (b) make provision for reviews of decisions under subsection (2);
 - (c) make provision for appeals from decisions under subsection (2).
- (15) Regulations under subsection (14)(c) may in particular –
- (a) specify the categories of person who may appeal;
 - (b) specify the circumstances in which appeals may be made;
 - (c) provide for the constitution of appeals panels;
 - (d) provide for appeal procedures;
 - (e) make provision about the effect of appeal decisions;
 - (f) provide for the payment of allowances to members of appeals panels;
 - (g) require the provision of information about appeals.'

Adran 14, tudalen 14, ar ôl llinell 25, ychwanegwch –

- '(14) Caiff rheoliadau –
- (a) diwygio neu ddiddymu y naill neu'r llall o is-adrannau (9) a (10), neu'r ddwy;
 - (b) gwneud darpariaeth ar gyfer adolygu penderfyniadau a wneir o dan is-adran (2);
 - (c) gwneud darpariaeth ar gyfer apelio yn erbyn penderfyniadau a wneir o dan is-adran (2).
- (15) Caiff rheoliadau o dan is-adran (14)(c) yn benodol –
- (a) pennu'r categorïau o berson a gaiff apelio;
 - (b) pennu'r amgylchiadau pan ganiateir apelio;
 - (c) darparu ar gyfer cyfansoddiad panelau apelio;
 - (d) darparu ar gyfer gweithdrefnau apelio;
 - (e) gwneud darpariaeth ynghylch effaith penderfyniadau apêl;
 - (f) darparu ar gyfer talu lwfansau i aelodau o banelau apelio;
 - (g) ei gwneud yn ofynnol i ddarparu gwybodaeth ynglŷn ag apelau.'

Ieuan Wyn Jones

8

Supported by/Gyda chefnogaeth Alun Cairns

Section 27, page 22, line 5, leave out 'or'.

Adran 27, tudalen 22, llinell 6, gadewch allan 'neu'.

Alun Cairns

15

Section 27, page 22, after line 5, insert –

'() regulations under section 14, or,'.

Adran 27, tudalen 22, ar ôl llinell 6, ychwanegwch –

'() rheoliadau o dan adran 14, neu,'.

Ieuan Wyn Jones

9

Section 27, page 22, after line 5, insert –

'() regulations under section 14(14)(a), or'.

Adran 27, tudalen 22, ar ôl llinell 6, ychwanegwch –

'() rheoliadau o dan adran 14(14)(a), neu'

Guidance on types of vehicle and their operation

Canllawiau ar y mathau o gerbydau a'u gweithredu

Alun Cairns

16

Section 15, page 14, after line 32, insert –

'() Guidance given under subsection (1) must include guidance as to the characteristics of vehicles suitable for use in relation to travel arrangements and as to the manner in which such vehicles are to be operated.'

Adran 15, tudalen 14, ar ôl llinell 32, ychwanegwch –

'() Rhaid i'r canllawiau a roddir o dan is-adran (1) gynnwys canllawiau ynghylch nodweddion cerbydau sy'n addas i'w defnyddio mewn perthynas â threfniadau teithio ac ynghylch sut mae'r cerbydau hynny i gael eu gweithredu.'

Reports on the exercise of functions under this Measure

Adroddiadau ar arfer swyddogaethau o dan y Mesur hwn

Kirsty Williams

28

To insert a new Section –

'Reports by local authorities

- (1) Each local authority must, at least once in every calendar year, provide a report in writing to Welsh Ministers setting out the steps taken by it during the period to which the report relates-
 - (a) to promote access to education and training in relation to its duty under section 10,
 - (b) to promote the use of sustainable modes of travel when exercising functions under this Measure, and
 - (c) to make travel arrangements for learners with special educational needs.'
- (2) The report under subsection (1) must describe the extent to which the steps taken appear to have been successful.'

I ychwanegu Adran newydd –

'Adroddiadau gan awdurdodau lleol

- (1) Rhaid i bob awdurdod lleol, o leiaf unwaith bob blwyddyn galendr, ddarparu adroddiad ysgrifenedig i Weinidogion Cymru yn nodi'r camau a gymerwyd ganddo yn ystod y cyfnod y mae'r adroddiad yn cyfeirio ato-
 - (a) i hybu mynediad i addysg a hyfforddiant mewn perthynas â'i ddyletswydd o dan adran 10,
 - (b) i hybu defnyddio dulliau teithio cynaliadwy wrth arfer swyddogaethau o dan y Mesur hwn, ac
 - (c) i wneud trefniadau teithio ar gyfer dysgwyr sydd ag anghenion addysgol arbennig.
- (2) Rhaid i'r adroddiad o dan is-adran (1) ddisgrifio i ba raddau y mae'n ymddangos bod y camau a gymerwyd wedi bod yn llwyddiannus.'

To insert a new Section –

‘Reports by the Welsh Ministers

The Welsh Ministers must, at least once in every calendar year, lay before the Assembly a report setting out –

- (a) the steps taken by them during the period to which the report in relation to the implementation of this Measure;
- (b) the way in which local authorities have complied with their duties under this Measure; and
- (c) when they have asked the Chief Inspector of Schools to give advice to them under section 20(2)(a) of the Education Act 2005 on a matter relating to the extent to which the duties under this Measure are being discharged effectively, the advice which they have received from the Chief Inspector during the period to which the report relates.’.

I ychwanegu Adran newydd –

‘Adroddiadau gan Weinidogion Cymru

Rhaid i Weinidogion Cymru, o leiaf unwaith bob blwyddyn galendr, osod gerbron y Cynulliad adroddiad yn nodi –

- (a) y camau a gymerwyd ganddynt yn ystod y cyfnod y mae’r adroddiad yn cyfeirio ato mewn perthynas â rhoi’r Mesur hwn ar waith;
- (b) sut mae’r awdurdodau lleol wedi cydymffurfio â’u dyletswyddau o dan y Mesur hwn; ac
- (c) pan ydynt wedi gofyn i’r Prif Arolygydd Ysgolion roi cyngor iddynt o dan adran 20(2)(a) o Ddeddf Addysg 2005 ar fater sy’n ymwneud ag i ba raddau y mae’r dyletswyddau o dan y Mesur hwn yn cael eu cyflawni’n effeithiol, y cyngor y maent wedi’i gael gan y Prif Arolygydd yn ystod y cyfnod y mae’r adroddiad yn cyfeirio ato.’.