



HYSBYSIAD YNGHYLCH
GWELLIANNAU
NOTICE OF AMENDMENTS
Cyflwynwyd ar 26 Hydref 2009
Tabled on 26 October 2009
Mesur Arfaethedig ynghylch Addysg (Cymru)
Proposed Education (Wales) Measure

Jane Hutt

1

Schedule, page 22, after line 4, insert –

‘Education and Inspections Act 2006 (c.40)

- () Section 162 of the Education and Inspections Act 2006 is amended as follows.
- () For subsection (5A) substitute –
 - “(5A) The Welsh Ministers may by order –
 - (a) make such provision as appears to them to be appropriate for the purpose of –
 - (i) repealing any reference in a Measure of the National Assembly for Wales to a local education authority (however expressed), and
 - (ii) replacing it, where it appears to them to be appropriate, with a reference (however expressed) to a Welsh local authority;
 - (b) make such provision as appears to them to be appropriate in consequence of or in connection with any provision made by virtue of paragraph (a).
- (5B) An order under subsection (5A) may make provision modifying any enactment whenever passed or made, and may, in particular, make provision of the kind specified in paragraphs (a) to (e) of subsection (2).”.

() After subsection (6) insert –

“(7) In interpreting paragraphs (a) to (e) of subsection (2) for the purposes of subsection (5B), “statutory provision” also includes any provision of a Measure of the National Assembly for Wales, including any Measure passed after the Education (Wales) Measure 2010.”.

Atodlen, tudalen 22, ar ôl llinell 5, ychwanegwch –

‘Ddeddf Addysg ac Arolygiadau 2006 (p.40)

() Diwygir adran 162 o Ddeddf Addysg ac Arolygiadau 2006 fel a ganlyn.

() Yn lle is-adran (5A) rhodder –

“(5A) The Welsh Ministers may by order –

(a) make such provision as appears to them to be appropriate for the purpose of –

(i) repealing any reference in a Measure of the National Assembly for Wales to a local education authority (however expressed), and

(ii) replacing it, where it appears to them to be appropriate, with a reference (however expressed) to a Welsh local authority;

(b) make such provision as appears to them to be appropriate in consequence of or in connection with any provision made by virtue of paragraph (a).

(5B) An order under subsection (5A) may make provision modifying any enactment whenever passed or made, and may, in particular, make provision of the kind specified in paragraphs (a) to (e) of subsection (2).”.

() Ar ôl is-adran (6) mewnosoder –

“(7) In interpreting paragraphs (a) to (e) of subsection (2) for the purposes of subsection (5B), “statutory provision” also includes any provision of a Measure of the National Assembly for Wales, including any Measure passed after the Education (Wales) Measure 2010.”.

Jane Hutt

2

Section 23, page 20, after line 3, insert –

‘() Paragraphs [] to [] of the Schedule come into force on the day on which this Measure is approved by Her Majesty in Council.’.

Adran 23, tudalen 20, ar ôl llinell 3, ychwanegwch –

‘() Daw paragraffau [] i [] o’r Atodlen i rym ar y diwrnod pan gymeradwyir y Mesur hwn gan Ei Mawrhydi yn Ei Chyngor.’.

Jane Hutt 3

Section 2, page 4, line 10, after 'local', insert 'education'.

Adran 2, tudalen 4, llinell 10 ar ôl 'local', ychwanegwch 'education'.

Jane Hutt 4

Section 2, page 4, line 25, after 'local', insert 'education'.

Adran 2, tudalen 4, llinell 25, ar ôl 'local', ychwanegwch 'education'.

Jane Hutt 5

Section 5, page 7, line 7, after 'local', insert 'education'.

Adran 5, tudalen 7, llinell 7, ar ôl 'local', ychwanegwch 'education'.

Jane Hutt 6

Section 15, page 13, line 35, leave out '28IA(3)' and insert '28IA(4)'.

Adran 15, tudalen 13, llinell 34, gadewch allan '28IA(3)' a rhowch yn ei le '28IA(4)'.

Jane Hutt 7

Section 1, page 3, line 28, after '27', insert '(ceasing to maintain a statement)'.

Adran 1, tudalen 3, llinell 29, ar ôl '27', ychwanegwch '(ceasing to maintain a statement)'.

Jane Hutt 8

Section 4, page 5, line 23, leave out 'after "given" insert "" and insert 'for "given—" substitute "given'.

Adran 4, tudalen 5, llinell 23, gadewch allan 'ar ôl "given" mewnosoder "" a rhowch yn ei le 'yn lle "given—" rhodder "given'.

Jane Hutt 9

Section 4, page 5, leave out line 24 and insert—

'(d) in subsection (2), omit paragraphs (a) and (b).'

Adran 4, tudalen 5, gadewch allan linell 24 a rhowch yn ei lle—

'(d) yn is-adran (2), hepgorer paragraffau (a) a (b).'

Jane Hutt 10

Section 5, page 6, line 4, leave out 'this section' and insert 'subsection (2)'.
Adran 5, tudalen 6, llinell 4, gadewch allan 'â'r adran hon' a rhowch yn ei le 'ag is-adran (2)'.
Adran 5, tudalen 6, llinell 4, gadewch allan 'â'r adran hon' a rhowch yn ei le 'ag is-adran (2)'.

Jane Hutt 11

Section 5, page 6, line 9, leave out 'after "given" insert "" and insert 'for "given—" substitute "given'.
Adran 5, tudalen 6, llinell 9, gadewch allan 'ar ôl "given" mewnosoder "" a rhowch yn ei le 'yn lle
"given—" rhodder "given'.

Jane Hutt 12

Section 5, page 6, leave out line 10 and insert –
'(d) in subsection (4), omit paragraphs (a) and (b).'

Adran 4, tudalen 6, gadewch allan linell 10 a rhowch yn ei lle –
'(d) yn is-adran (4), hepgorer paragraffau (a) a (b).'

Jane Hutt 13

Schedule, page 21, line 6, leave out '326 (appeal against contents of statement), in subsection (4)(b), for "the parent, the local education authority, or both" substitute "the child, the parent, the local education authority, or any one or more of them".' and insert –
'326(4) (appeal against contents of statement) –
(a) in paragraph (b), omit the full stop and after "school" insert ", or";
(b) after paragraph (b) insert –
"(c) in the case of proceedings relating to a statement maintained by a local education authority in Wales only, the child has proposed the school in the proceedings (whether or not the parent, the local education authority or both have also proposed the school).".'

Atodlen, tudalen 21, llinell 6, gadewch allan '326 (apêl yn erbyn cynnwys datganiad), yn is-adran (4)(b), yn lle "the parent, the local education authority, or both" rhodder "the child, the parent, the local education authority, or any one or more of them".' a rhowch yn ei le –
'326(4) (apêl yn erbyn cynnwys datganiad) –
(a) ym mharagraff (b), hepgorer yr atalnod llawn ac ar ôl "school" mewnosoder ", or";
(b) ym mharagraff (b) hepgorer yr atalnod llawn ac ar ôl "school" mewnosoder ", or";
(c) yn achos ymchwilys sy'n gysylltu â statemant a'i sefydlu gan awdurdod addysg yn Cymru yn unig, mae'r plentyn yn parhysu'r ysgol yn ymchwilys (peth os na'r rhwyngdd, yr awdurdod addysg neu'r rhwyngdd i gyd yn parhysu'r ysgol).".'

(a) in paragraph (b), omit the full stop and after "school" insert ", or";

(b) after paragraph (b) insert –

"(c) in the case of proceedings relating to a statement maintained by a local education authority in Wales only, the child has proposed the school in the proceedings (whether or not the parent, the local education authority or both have also proposed the school).".'

Atodlen, tudalen 21, llinell 6, gadewch allan '326 (apêl yn erbyn cynnwys datganiad), yn is-adran (4)(b), yn lle "the parent, the local education authority, or both" rhodder "the child, the parent, the local education authority, or any one or more of them".' a rhowch yn ei le –
'326(4) (apêl yn erbyn cynnwys datganiad) –
(a) ym mharagraff (b), hepgorer yr atalnod llawn ac ar ôl "school" mewnosoder ", or";
(b) ym mharagraff (b) hepgorer yr atalnod llawn ac ar ôl "school" mewnosoder ", or";
(c) yn achos ymchwilys sy'n gysylltu â statemant a'i sefydlu gan awdurdod addysg yn Cymru yn unig, mae'r plentyn yn parhysu'r ysgol yn ymchwilys (peth os na'r rhwyngdd, yr awdurdod addysg neu'r rhwyngdd i gyd yn parhysu'r ysgol).".'

'326(4) (apêl yn erbyn cynnwys datganiad) –

(a) ym mharagraff (b), hepgorer yr atalnod llawn ac ar ôl "school" mewnosoder ", or";

(b) ar ôl paragraff (b) mewnosoder –

- “(c) in the case of proceedings relating to a statement maintained by a local education authority in Wales only, the child has proposed the school in the proceedings (whether or not the parent, the local education authority or both have also proposed the school).”.

Jane Hutt

14

Schedule, page 21, line 15, after ‘authority’, insert ‘in England or Wales’.

Atodlen, tudalen 21, llinell 15, ar ôl ‘authority’, ychwanegwch ‘in England or Wales’.

Jane Hutt

15

Schedule, page 21, line 17, leave out ‘against a decision of a local education authority’ and insert ‘or paragraph 8(3) of Schedule 27 against a decision of a local education authority in Wales’.

Atodlen, tudalen 21, llinell 17, gadewch allan ‘against a decision of a local education authority’ a rhowch yn ei le ‘or paragraph 8(3) of Schedule 27 against a decision of a local education authority in Wales’.

Jane Hutt

16

Schedule, page 21, line 21, leave out –

“ substitute “the child or the parent of the child (as the case may be)”;

- (b) in paragraph 11(4), for “the parent of the child” substitute “the child or the parent of the child (as the case may be)”;
- (c) in paragraph 11(5)(a), for “the parent of the child” substitute “the child or the parent of the child (as the case may be)”.

and insert –

‘has appealed’ substitute “there is an appeal”;

- (b) in paragraph 11(4), for “the parent of the child appeals” substitute “there is an appeal”;
- (c) in paragraph 11(5)(a), for “the parent of the child has appealed” substitute “there has been an appeal”.

Atodlen, tudalen 21, llinell 21, gadewch allan –

“ rhodder “the child or the parent of the child (as the case may be)”;

- (b) ym mharagraff 11(4), yn lle “the parent of the child” rhodder “the child or the parent of the child (as the case may be)”;
- (c) ym mharagraff 11(5)(a), yn lle “the parent of the child” rhodder “the child or the parent of the child (as the case may be)”.

a rhowch yn ei le –

‘has appealed’ rhodder “there is an appeal”;

(b) ym mharagraff 11(4), yn lle “the parent of the child appeals” rhodder “there is an appeal”;

(c) ym mharagraff 11(5)(a), yn lle “the parent of the child has appealed” rhodder “there has been an appeal”.

Jane Hutt 17

Schedule, page 22, line 1, leave out ‘28IC’ and insert ‘28ID’.

Atodlen, tudalen 22, llinell 2, gadewch allan ‘28IC’ a rhowch yn ei le ‘28ID’.

Jane Hutt 18

Section 9, page 9, leave out lines 3 to 4

Adran 9, tudalen 9, gadewch allan linellau 3 hyd at 4.

Jane Hutt 19

Section 9, page 9, line 5, after ‘28I’, insert ‘of the Disability Discrimination Act 1995 (c.50)’.

Adran 9, tudalen 9, llinell 5, ar ôl ‘28I’, ychwanegwch ‘o Ddeddf Gwahaniaethu ar sail Anabledd 1995 (p.50)’.

Jane Hutt 20

Section 9, page 9, line 6, after ‘28I’, insert ‘of that Act’.

Adran 9, tudalen 9, llinell 6, ar ôl ‘28I’, ychwanegwch ‘o’r Ddeddf honno’.

Jane Hutt 21

Section 14, page 13, line 9, after ‘Ministers’, insert ‘, make provision’.

Adran 14, tudalen 13, llinell 9, ar ôl ‘Ministers’, ychwanegwch ‘, make provision’.

Jane Hutt 22

Section 14, page 13, line 10, leave out ‘regulations that’ and insert ‘provision by regulations’.

Adran 14, tudalen 13, llinell 10, gadewch allan ‘regulations that’ a rhowch yn ei le ‘provision by regulations’.

Jane Hutt 23

Section 14, page 13, line 11, leave out ‘(o)’ and insert ‘(d)’.

Adran 14, tudalen 13, llinell 11, gadewch allan ‘(o)’ a rhowch yn ei le ‘(d)’.

Jane Hutt 24

Section 14, page 13, line 12, leave out ‘(p)’ and insert ‘(da)’.

Adran 14, tudalen 13, llinell 12, gadewch allan ‘(p)’ a rhowch yn ei le ‘(da)’.

Jane Hutt 25

Section 14, page 13, after line 17 insert –

‘() In subsection 8(a) omit “, and”.’.

Adran 14, tudalen 13, ar ôl llinell 17 ychwanegwch –

‘() Yn is-adran 8(a) hepgorer “, and”.’.

Jane Hutt 26

Section 20, page 18, line 1, leave out “‘foundation stage” substitute “foundation phase”” and insert “‘stage”, each time it appears, substitute “phase””.

Adran 20, tudalen 18, llinell 1, gadewch allan “‘foundation stage” rhodder “foundation phase”” a rhowch yn ei le “‘stage”, bob tro y’i ceir, rhodder “phase””.

Jane Hutt 27

Section 23, page 19, after line 37 insert –

‘section 22A,’.

Adran 23, tudalen 19, ar ôl llinell 40 ychwanegwch –

‘adran 22A,’.

Jane Hutt 28

Section 2 page 4, leave out line 14.

Adran 2, tudalen 4, gadewch allan linell 14.

Jane Hutt

29

Section 2 page 4, after line 20, insert –

‘() paragraph 2A of Schedule 27 (amendments to a statement),’.

Adran 2, tudalen 4, ar ôl llinell 20, ychwanegwch –

‘() paragraph 2A of Schedule 27 (amendments to a statement),’.