



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

**1999 Rhif 2800 (Cy. 14)**

**1999 No. 2800 (W. 14)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Rheoliadau Ysgolion Newydd  
(Derbyniadau) (Cymru) 1999**

**The New Schools (Admissions)  
(Wales) Regulations 1999**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

*(This note is not part of the Regulations)*

Mae Adran 422 o Ddeddf Addysg 1996 yn nodi'r gweithdrefnau ar gyfer penderfynu'r trefniadau derbyn i ysgolion newydd. Diddymir y gweithdrefnau hyn o 1af Medi ymlaen gan weithdrefnau derbyn sy'n dod i rym o dan Ddeddf Safonau a Fframwaith Ysgolion 1998.

Section 422 of the Education Act 1996 sets out procedures for determining admission arrangements at new schools. These procedures are repealed from 1st September 1999 by the coming into force of the admission procedures under the School Standards and Framework Act 1998.

Cyn dod yn weithredol, bydd angen ar ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol newydd fod ag awdurdod derbyn a ddiffinnir gan Ddeddf 1998. Mae'r Rheoliadau hyn yn darparu ar gyfer hyn.

Before coming into operation a new community, foundation or voluntary school will need to have an admission authority defined by the 1998 Act. These Regulations make provision for this.

Mae'r Rheoliadau hyn yn darparu ynglŷn â phenderfynu'r trefniadau derbyn cychwynnol ar gyfer ysgolion newydd, a cheisiadau am gael derbyniad iddynt.

These Regulations make provision in relation to the determination of the initial admission arrangements for, and applications for admission to, new schools.

Mae Rheoliadau 1 a 2 yn darparu ar gyfer enwi, cychwyn, cymhwyso a dehongli'r Rheoliadau.

Regulations 1 and 2 provide for the citation, commencement, application and interpretation of the Regulations.

Mae Rheoliad 3 yn pennu pwy fydd yr awdurdod derbyn sy'n gyfrifol am benderfynu'r trefniadau i dderbyn disgyblion i'r ysgol ar gyfer y flwyddyn ysgol y bydd yn derbyn disgyblion am y tro cyntaf. Os yw'r ysgol i fod yn ysgol gymunedol neu'n ysgol wirfoddol a reolir, yr awdurdod addysg lleol neu'r corff llywodraethu dros dro lle bo'r AALI wedi dirprwyo'r cyfrifoldeb hwn iddynt fydd yr awdurdod derbyn. Lle bydd yr ysgol newydd yn ysgol sefydledig neu'n ysgol wirfoddol a gynorthwyir, yr awdurdod derbyn fydd y corff llywodraethu dros dro (neu'r hyrwyddwyr).

Regulation 3 specifies who is to be the admission authority responsible for the determination of the arrangements for admission of pupils to the school for the school year in which it will first admit pupils. Where the school is to be a community or voluntary controlled school, the admission authority will be the local education authority or the temporary governing body where the LEA have delegated this responsibility to them. Where the new school will be a foundation or voluntary aided school, the temporary governing body (or promoters) will be the admission authority.

Mae Rheoliad 4 yn nodi'r weithdrefn i awdurdod derbyn ymgynghori â'r awdurdodau addysg lleol a'r awdurdodau derbyn eraill yn yr ardal berthnasol cyn

Regulation 4 sets out the procedure for an admission authority to consult the local education authorities and other admission authorities in the relevant area before

penderfynu'r trefniadau derbyn cychwynnol ar gyfer yr ysgol newydd ac mae'n rhagnodi amserlen i'r ymgynghori hwnnw. Mae yna ddarpariaeth i amrywio'r trefniadau derbyn cychwynnol yn wyneb newid sylweddol mewn amgylchiadau ar ôl iddynt gael eu penderfynu ar yr amod bod yr amrywiad arfaethedig yn cael ei gyfeirio at y Cynulliad.

Ar ôl i'r trefniadau derbyn cychwynnol gael eu penderfynu, mae Rheoliad 5 yn darparu i'r awdurdodau derbyn eraill gyfeirio gwrthwynebiadau at y Cynulliad. Os nad yw'r cynigion ar gyfer sefydlu'r ysgol, y mae'n ofynnol eu cyhoeddi o dan Ddeddf 1998, wedi'u cymeradwyo adeg cyfeirio'r gwrthwynebiad at y Cynulliad, nid yw'n ofynnol i'r Cynulliad benderfynu ar y gwrthwynebiad nes bod y cynigion wedi'u cymeradwyo.

Mae Rheoliad 6 yn gymwys os bydd gan ysgol newydd gymeriad crefyddol. Mae'n darparu ar gyfer cynnwys trefniadau arbennig, sy'n adlewyrchu darpariaethau adran 91 o Ddeddf 1998, mewn trefniadau derbyn cychwynnol i ddiogelu cymeriad ysgol.

Mae Rheoliad 7 a'r Atodlen yn caniatáu i ddarpariaethau penodol y Deddfau Addysg fod yn gymwys, gydag addasiadau, i'r awdurdodau derbyn ar gyfer ysgolion newydd at ddibenion penderfynu (i) y trefniadau derbyn cychwynnol, a (ii) y trefniadau unigol ar gyfer derbyniad i'r ysgol.

Mae Rheoliad 8 yn cynnwys darpariaethau trosiannol ynglŷn â derbyn disgyblion i ysgolion a sefydlwyd yn unol â chynigion a gyhoeddwyd o dan Ran II o Ddeddf Addysg 1996 ac sy'n derbyn disgyblion yn y flwyddyn ysgol 1999/2000 am y tro cyntaf.

determining the initial admission arrangements for the new school and prescribes a timetable for that consultation. There is provision for the initial admission arrangements to be varied in view of a major change of circumstances after they have been determined subject to referring the proposed variation to the Assembly.

Regulation 5 makes provision for other admission authorities, after the initial admission arrangements have been determined, to refer objections to the Assembly. If at the time the objection is referred to the Assembly the proposals for the establishment of the school which are required to be published under the 1998 Act have not yet been approved, the Assembly is not required to determine the objection until such time as the proposals have been approved.

Regulation 6 applies where a new school will have a religious character. It makes provision for the inclusion in initial admission arrangements of special arrangements to preserve that character of a school which reflect the provisions of section 91 of the 1998 Act.

Regulation 7 and the Schedule provide for certain provisions of the Education Acts to apply, with modifications, to the admission authorities for new schools for the purposes of determining (i) the initial admission arrangements, and (ii) individual arrangements for admission to the school.

Regulation 8 contains transitional provisions in relation to the admission of pupils to schools established pursuant to proposals published under Part II of the Education Act 1996 which first admit pupils in the 1999/2000 school year.

**1999 Rhif 2800 (Cy. 14)****1999 No. 2800 (W. 14)****ADDYSG, CYMRU****EDUCATION, WALES****Rheoliadau Ysgolion Newydd  
(Derbyniadau) (Cymru) 1999****The New Schools (Admissions)  
(Wales) Regulations 1999***Wedi'u gwneud* 31 Awst 1999*Made* 31st August 1999*Yn dod i rym* 1 Medi 1999*Coming into force* 1st September 1999

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 72 a 138(7) ac (8) o Ddeddf Safonau a Fframwaith Ysgolion 1998(a) a pharagraff 1(9) o Atodlen 10 iddi, ac a freiniwyd bellach yn y Cynulliad(b):

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 72, and 138(7) and (8) of, and paragraph 1(9) of Schedule 10 to, the School Standards and Framework Act 1998(a), and now vested in the Assembly(b):

**Enwi, cychwyn a chymhwyso****Citation, commencement and application**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Ysgolion Newydd (Derbyniadau) (Cymru) 1999 a deuant i rym ar 1 Medi 1999.

1.—(1) These Regulations may be cited as the New Schools (Admissions) (Wales) Regulations 1999 and shall come into force on 1st September 1999.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas ag ysgol newydd yng Nghymru sydd, yn y flwyddyn ysgol y bydd yn derbyn disgyblion am y tro cyntaf, i fod yn ysgol gymunedol, sefydledig neu wirfoddol.

(2) These Regulations apply in relation to a new school in Wales which, in the school year in which it will first admit pupils, is to be a community, foundation or voluntary school.

**Dehongli****Interpretation**

2.—(1) Yn y Rheoliadau hyn, oni fydd y cyd-destun yn mynnu fel arall —

2.—(1) In these Regulations, unless the context otherwise requires —

ystyr “awdurdod derbyn” mewn perthynas ag ysgol newydd, yw'r person neu'r corff sy'n gyfrifol o dan reoliad 3 am wneud trefniadau derbyn cychwynnol yr ysgol;

“the 1996 Act” means the Education Act 1996(c);

“the 1998 Act” means the School Standards and Framework Act 1998;

ystyr “blwyddyn gychwynnol” mewn perthynas ag ysgol newydd yw'r flwyddyn ysgol pan dderbynnir disgyblion (neu y bwriedir y dylid eu derbyn) i'r ysgol;

S.I. 1999/124 means the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999(d)

“S.I. 1999/125” means the Education (Objections to Admissions Arrangements) Regulations 1999(e);

“S.I. 1999/362” means the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999(f);

ystyr “corff llywodraethu dros dro” yw —

(i) corff llywodraethu dros dro a sefydlir o dan adran 44 o Ddeddf 1998,

(a) 1998 p.31. Gweler adran 142(1) ar gyfer ystyr “rheoliadau”.

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(a) 1998 c.31. For the meaning of “regulations” see section 142(1).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) 1996 c.56.

(d) 1999/124.

(e) 1999/125.

(f) 1999/362.

(ii) corff llywodraethu trosiannol sy'n cael ei drin fel corff a sefydlwyd felly yn rhinwedd rheoliad 13(5) o O.S. 1999/362, neu (fel y bo'r achos)

(iii) corff llywodraethu dros dro sy'n cael ei drin fel corff a sefydlwyd felly yn rhinwedd rheoliad 13 o O.S. 1999/704;

ystyr "Cynulliad" yw Cynulliad Cenedlaethol Cymru**(a)**;

ystyr "Deddf 1996" yw Deddf Addysg 1996**(b)**;

ystyr "Deddf 1998" yw Deddf Safonau a Fframwaith Ysgolion 1998;

ystyr "dyddiad agor ysgol" mewn perthynas ag ysgol newydd yw'r dyddiad pan fydd yr ysgol yn derbyn disgyblion gyntaf;

ystyr "O.S. 1999/124" yw Rheoliadau Addysg (Meysydd Perthnasol i Ymgynghori â Hwyl ynglŷn â Threfniadau Derbyn)**(c)** ;

ystyr "O.S. 1999/125" yw Rheoliadau Addysg (Gwrthwynebiadau i Drefniadau Derbyn) 1999**(d)**;

ystyr "O.S. 1999/362" yw Rheoliadau Addysg (Trosglwyddiad i Fframwaith Newydd) (Ysgolion Newydd, Grwpiau ac Amrywiol) 1999**(e)** ;

ystyr "O.S. 1999/704" yw Rheoliadau Addysg (Trosglwyddiad i Fframwaith Newydd) (Cynigion Trefniadaeth Ysgolion) 1999**(f)** ;

ystyr "prif fynedfa" yw'r brif fynedfa i dir ac adeiladau'r ysgol dan sylw, neu (os yw'r ysgol ar fwy nag un safle) y brif fynedfa i brif adeilad gweinyddol yr ysgol;

ystyr "trefniadau derbyn cychwynnol", ynglŷn ag ysgol newydd, yw'r trefniadau ar gyfer derbyn plant i'r ysgol (gan gynnwys polisi derbyn yr ysgol) ar gyfer y flwyddyn gychwynnol;

mae i "ysgol a gynhelir" yr ystyr a roddir i "maintained school" gan adran 84(6) o Ddeddf 1998;

mae i "ysgol newydd" yr ystyr a roddir i "new school" gan adran 72(3) o Ddeddf 1998 ac eithrio'r ffaith ei bod yn cynnwys ysgol neu ysgol arfaethedig gyda chorff llywodraethu dros dro y mae iddo'r ystyr a roddir gan y Rheoliadau hyn.

"S.I. 1999/704" means the Education (Transition to New Framework) (School Organisation Proposals) Regulations 1999**(a)**;

"admission authority", in relation to a new school, means the person or body responsible under regulation 3 for making the school's initial admission arrangements;

"Assembly" means the National Assembly for Wales**(b)**;

"initial year", in relation to a new school, means the school year in which pupils are (or it is intended, should be) admitted to the school;

"initial admission arrangements", in relation to a new school, means the arrangements for the admission of children to the school (including the school's admission policy) for the initial year;

"main entrance" means the principal entrance to the school premises in question, or (if the school has more than one site) to the principal entrance to the main administrative building of the school;

"maintained school" has the meaning given by section 84(6) of the 1998 Act;

"new school" has the meaning given by section 72(3) of the 1998 Act except that it includes a school or proposed school with a temporary governing body having the meaning given by these Regulations;

"school opening date", in relation to a new school, means the date when the school first admits pupils;

"temporary governing body" means —

- (i) a temporary governing body constituted under section 44 of the 1998 Act,
- (ii) a transitional governing body treated as so constituted by virtue of regulation 13(5) of S.I. 1999/362, or (as the case may be)
- (iii) a temporary governing body treated as so constituted by virtue of regulation 13 of S.I. 1999/704.

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**(a)** Sefydlwyd Cynulliad Cenedlaethol Cymru gan adran 1 o Ddeddf Llywodraeth Cymru 1998 (p.38). Trosglwyddwyd pob un o swyddogaethau'r Ysgrifennydd Gwladol sy'n berthnasol i'r Rheoliadau hyn i'r Cynulliad gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 o 1 Gorffennaf 1999 ymlaen. Yn unol â hynny, dylid, mewn perthynas â Chymru, ddehongli cyfeiriadau at yr Ysgrifennydd Gwladol yn yr adrannau perthnasol o Ddeddf Safonau a Fframwaith Ysgolion 1998 a'r Atodleni iddi fel cyfeiriad, neu gyfeiriad sy'n cynnwys cyfeiriad, at y Cynulliad. Gweler adran 43 o Ddeddf Llywodraeth Cymru 1998.

**(b)** 1996 p.56.

**(c)** 1999/124.

**(d)** 1999/125.

**(e)** 1999/362.

**(f)** 1999/704.

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**(a)** 1999/704.

**(b)** The National Assembly for Wales was established by section 1 of the Government of Wales Act 1998 (c.38). All functions of the Secretary of State relevant to these Regulations are transferred to the Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 with effect from 1st July 1999. Accordingly, in relation to Wales, references to the Secretary of State in the relevant sections of and Schedules to the School Standards and Framework Act 1998 are to be construed as being, or including, a reference to the Assembly see section 43 of the Government of Wales Act 1998.

(2) Ni fydd Rheoliadau 4, 5 a 6 yn gymwys lle bo'r awdurdod derbyn ar gyfer ysgol newydd a sefydlwyd fel rhan o gynigion a oedd yn cynnwys terfynu ysgol arall a gynhaliwyd gan awdurdod addysg lleol yn penderfynu y bydd y trefniadau derbyn cychwynnol yr un fath â rhai'r ysgol honno.

### **Cyfrifoldeb dros y trefniadau derbyn cychwynnol**

3.—(1) Gwneir y trefniadau derbyn cychwynnol ar gyfer ysgol newydd a fydd yn ysgol gymunedol neu'n ysgol wirfoddol a reolir gan —

- (a) yr awdurdod addysg lleol, neu
- (b) y corff llywodraethu dros dro lle bo'r awdurdod, gyda chytundeb y corff hwnnw, wedi dirprwyo iddynt y cyfrifoldeb dros benderfynu'r trefniadau hynny.

(2) Gwneir y trefniadau derbyn cychwynnol ar gyfer ysgol newydd a fydd yn ysgol sefydledig neu'n ysgol wirfoddol a gynorthwyr gan —

- (a) y corff llywodraethu dros dro, neu
- (b) yr hyrwyddwyr —
  - (i) lle nad yw'r corff hwnnw wedi'i sefydlu eto, a
  - (ii) lle bo'r hyrwyddwyr yn credu y byddai'n ddoeth i'r trefniadau derbyn gael eu penderfynu yn ddi-oed.

### **Y weithdrefn ar gyfer penderfynu trefniadau derbyn**

4.—(1) Bydd yr awdurdod derbyn ar gyfer ysgol newydd yn penderfynu'r trefniadau derbyn cychwynnol o leiaf chwe mis cyn dyddiad agor yr ysgol.

(2) Cyn penderfynu'r trefniadau derbyn cychwynnol, bydd yr awdurdod derbyn o leiaf naw mis cyn dyddiad agor yr ysgol, yn ymgynghori â'r canlynol ynghylch y trefniadau arfaethedig, sef —

- (a) yr awdurdod addysg lleol (os yr awdurdod derbyn yw'r corff llywodraethu dros dro neu'r hyrwyddwyr), a
  - (b) yr awdurdodau derbyn ar gyfer pob ysgol arall a gynhelir yn yr ardal berthnasol.
- (3) Ym mharagraff (2) “yr ardal berthnasol” fydd —
- (a) yn achos ysgol a fydd yn derbyn disgyblion gyntaf yn ystod unrhyw flwyddyn ysgol sy'n cychwyn ynghynt na 2001, yr ardal y tynnwyd cylch o'i chwmpas —
    - (i) y mae prif fynedfa arfaethedig yr ysgol newydd yn ganol iddi; a
    - (ii) y mae ei radiws yn 4.83 cilometr (3 milltir);
  - (b) yn achos ysgol a fydd yn derbyn disgyblion gyntaf yn y flwyddyn ysgol sy'n cychwyn yn 2001 neu unrhyw flwyddyn ysgol ar ôl hynny, yr ardal berthnasol neu'r ardaloedd perthnasol a bennir gan yr awdurdod addysg lleol yn unol ag O.S. 1999/124.

(2) Regulations 4, 5 and 6 shall not apply where the admission authority for a new school established as part of proposals involving the discontinuance of another school maintained by a local education authority determine that the initial admission arrangements shall be the same as those of that school.

### **Responsibility for initial admission arrangements**

3.—(1) The initial admission arrangements for a new school which is to be a community or voluntary controlled school shall be made by —

- (a) the local education authority, or
- (b) the temporary governing body where, with the agreement of that body, the authority have delegated to them responsibility for determining those arrangements.

(2) The initial admission arrangements for a new school which is to be a foundation or voluntary aided school shall be made by —

- (a) the temporary governing body, or
- (b) the promoters where —
  - (i) that body is not yet constituted, and
  - (ii) the promoters consider it expedient for the admission arrangements to be determined without delay.

### **Procedure for determining admission arrangements**

4.—(1) The admission authority for a new school shall determine the initial admission arrangements not less than six months in advance of the school opening date.

(2) Before determining the initial admission arrangements the admission authority shall, not less than nine months in advance of the school opening date, consult the following about the proposed arrangements, namely —

- (a) the local education authority (where the temporary governing body or promoters are the admission authority), and
  - (b) the admission authorities for all other maintained schools in the relevant area.
- (3) In paragraph (2) “the relevant area” shall be
- (a) in the case of a school which will first admit pupils in any school year commencing earlier than 2001, the area described by a circle —
    - (i) of which the centre is the proposed main entrance to the new school; and
    - (ii) which has a radius of 4.83 kilometres (3 miles);
  - (b) in the case of a school which will first admit pupils in the school year commencing in 2001 or in any later school year, the relevant area or relevant areas determined by the local education authority in accordance with S.I. 1999/124.

(4) Dim ond os yw ei phrif fynedfa o fewn yr ardal honno y dylid edrych ar ysgol fel un sydd o fewn yr ardal berthnasol a ragnodir gan baragraff (3)(a).

(5) O ran y trefniadau derbyn cychwynnol arfaethedig ar gyfer ysgol gynradd, dim ond ei gwneud yn ofynnol i'r awdurdod derbyn ymgynghori â'r awdurdodau derbyn ar gyfer ysgolion eraill yn yr ardal berthnasol sy'n ysgolion cynradd y bydd paragraff (2).

(6) Pan fydd unrhyw ymgynghoriad o'r fath wedi'i wneud, bydd yr awdurdod derbyn —

- (a) yn penderfynu mai eu trefniadau arfaethedig hwy (naill ai ar eu ffurf wreiddiol neu gyda'r addasiadau y cred yr awdurdod eu bod yn briodol) fydd y trefniadau derbyn cychwynnol; a
- (b) yn hysbysu'r cyrff y bu iddynt ymgynghori â hwy o dan baragraff (2) ynglŷn â'r trefniadau hynny.

(7) Os bydd awdurdod derbyn —

- (a) wedi penderfynu'r trefniadau derbyn cychwynnol yn unol â pharagraff (6), ond
- (b) yn credu ar unrhyw adeg cyn diwedd y flwyddyn gychwynnol y dylid amrywio'r trefniadau yn wyneb newid sylweddol mewn amgylchiadau a ddigwyddodd ers iddynt gael eu penderfynu felly,

bydd yr awdurdod yn cyfeirio'r amrywiadau arfaethedig at y Cynulliad a bydd (ym mhob achos) yn hysbysu'r cyrff y bu iddynt ymgynghori â hwy o dan is-adran (2) ynglŷn â'r amrywiadau arfaethedig.

(8) Bydd y Cynulliad yn pwysu a mesur a ddylai'r trefniadau gael effaith gyda'r amrywiadau hynny tan ddiwedd y flwyddyn gychwynnol; ac os bydd yn penderfynu y dylai'r trefniadau gael effaith felly neu y dylent gael effaith felly yn ddarostyngedig i unrhyw addasiad i'r amrywiadau hynny y bydd yn penderfynu arno —

- (a) bydd i'r trefniadau effaith yn unol â hynny o ddyddiad ei benderfyniad ymlaen, a
- (b) bydd yr awdurdod derbyn yn hysbysu'r cyrff y bu iddynt ymgynghori â hwy o dan baragraff (2) o'r amrywiadau y bydd y trefniadau yn cael effaith odanynt;

ac eithrio na fydd dim yn y paragraff hwn yn ei gwneud yn ofynnol i'r Cynulliad wneud penderfyniad o'r fath cyn bod y cynigion y mae'n ofynnol eu cyhoeddi o dan adran 28(1) a (2) o Ddeddf 1998 wedi'u cymeradwyo yn unol â darpariaethau Atodlen 6 i'r Ddeddf honno.

(9) Os yr awdurdod addysg lleol yw'r awdurdod derbyn ar gyfer ysgol gymunedol neu ysgol wirfoddol a reolir, byddant —

- (a) yn ymgynghori â'r corff llywodraethu dros dro, wrth baratoi ar gyfer ymgynghoriad o dan baragraff (2) eu trefniadau derbyn cychwynnol arfaethedig ar gyfer y flwyddyn

(4) A school is only to be regarded as within the relevant area prescribed by paragraph (3)(a) if its main entrance lies within that area.

(5) In relation to the proposed initial admission arrangements for a primary school, paragraph (2) shall only require the admission authority to consult the admission authorities for other schools in the relevant area which are primary schools.

(6) Once any such consultation has been carried out, the admission authority shall —

- (a) determine that their proposed arrangements (either in their original form or with such modifications as the authority think fit) shall be the initial admission arrangements; and
- (b) notify the bodies whom they consulted under paragraph (2) of those arrangements.

(7) Where an admission authority —

- (a) have in accordance with paragraph (6) determined the initial admission arrangements, but
- (b) at any time before the end of the initial year consider that the arrangements should be varied in view of a major change of circumstances occurring since they were so determined,

the authority shall refer the proposed variations to the Assembly and shall (in every case) notify the bodies whom they consulted under subsection (2) of the proposed variations.

(8) The Assembly shall consider whether the arrangements should have effect with those variations until the end of the initial year; and if it determines that the arrangements should so have effect or that they should so have effect subject to such modification of those variations as it may determine —

- (a) the arrangements shall have effect accordingly as from the date of its determination; and
- (b) the admission authority shall notify the bodies whom they consulted under paragraph (2) of the variations subject to which the arrangements are to have effect;

save that nothing in this paragraph shall require the Assembly to make such determination before the proposals required to be published under section 28(1) and (2) of the 1998 Act have been approved in accordance with the provisions of Schedule 6 to that Act.

(9) Where the local education authority are the admission authority for a community or voluntary controlled school, they shall —

- (a) when preparing for consultation under paragraph (2) their proposed initial admission arrangements for the initial year, consult the temporary governing body about the initial

gychwynnol, ynghylch y trefniadau derbyn cychwynnol y gall yr awdurdod eu cynnig ar gyfer yr ysgol; a

- (b) ar ben hynny yn ymgynghori â'r corff llywodraethu dros dro cyn gwneud unrhyw gyfeiriad o dan baragraff (7).

admission arrangements which the authority may propose for the school; and

- (b) in addition consult the temporary governing body before making any reference under paragraph (7).

### Cyfeirio gwrthwynebiadau i'r Cynulliad

5.—(1) Lle bo —

- (a) y trefniadau derbyn cychwynnol wedi'u penderfynu gan awdurdod derbyn o dan reoliad 4(6), ond
- (b) bod corff yr ymgynghorwyd ag ef gan yr awdurdod derbyn o dan reoliad 4(2) yn dymuno codi gwrthwynebiad ynglŷn â'r trefniadau hynny, ac
- (c) nad yw'r gwrthwynebiad yn dod o dan unrhyw ddisgrifiad o wrthwynebiadau a ragnodir gan reoliad 2(2) o O.S. 1999/125,

caiff y corff hwnnw gyfeirio'r gwrthwynebiad at y Cynulliad.

(2) Yn ddarostyngedig i baragraff (3) ni cheir cyfeirio gwrthwynebiad o dan baragraff (1) oni bai ei fod yn cael ei dderbyn gan y Cynulliad o fewn 6 wythnos ar ôl i'r awdurdod derbyn sy'n gwrthwynebu dderbyn yr hysbysiad angenrheidiol yn rhinwedd rheoliad 4(6)(b).

(3) Bernir bod gwrthwynebiad a dderbynnir ar ôl diwedd y cyfnod a bennir ym mharagraff (2) wedi ei gyfeirio'n briodol os yw'r Cynulliad yn fodlon nad oedd yn rhesymol ymarferol i'r gwrthwynebiad gael ei dderbyn ynghynt na'r adeg y cafodd ei dderbyn.

(4) Ar ôl cael cyfeiriad o dan baragraff (1) bydd y Cynulliad yn penderfynu a ddylid cadarnhau'r gwrthwynebiad ac (os felly) i ba raddau, ond ni fydd dim yn y paragraff hwn yn ei gwneud yn ofynnol i'r Cynulliad gymryd camau o'r fath cyn bod y cynigion y mae'n ofynnol eu cyhoeddi o dan adran 28 (1) a (2) o Ddeddf 1998 wedi'u cymeradwyo yn unol â darpariaethau Atodlen 6 i'r Ddeddf honno.

(5) Os bydd y Cynulliad yn penderfynu y dylid cadarnhau i unrhyw raddau wrthwynebiad y cyfeiriwyd ato o dan y rheoliad hwn, gall ei benderfyniad ar y gwrthwynebiad bennu'r addasiadau y dylid eu gwneud i'r trefniadau derbyn o dan sylw.

(6) Cyhoeddir penderfyniadau'r Cynulliad a'r rhesymau drostynt drwy roi gwybod yn ysgrifenedig i'r cyd-wrthwynebwyr ac i bob corff arall yr oedd yn ofynnol i'r awdurdod derbyn ymgynghori â hwy ynglŷn â'r trefniadau derbyn cychwynnol o dan reoliad 4(2).

(7) Bydd penderfyniad y Cynulliad ynglŷn â'r trefniadau derbyn cychwynnol o dan sylw yn rhwymo'r awdurdod derbyn a phob person y gall gwrthwynebiad ynglŷn â'r trefniadau hynny gael ei godi ganddynt o dan baragraff (1); ac os yw'r penderfyniad hwnnw yn

### Reference of objections to the Assembly

5.—(1) Where —

- (a) initial admission arrangements have been determined by an admission authority under regulation 4(6), but
- (b) a body consulted by the admission authority under regulation 4(2) wish to make an objection about those arrangements, and
- (c) the objection does not fall within any description of objections prescribed by regulation 2(2) of S.I. 1999/125,

that body may refer the objection to the Assembly.

(2) Subject to paragraph (3) an objection may not be referred under paragraph (1) unless it is received by the Assembly within 6 weeks after the receipt by the objecting admission authority of the notification required by virtue of regulation 4(6)(b).

(3) An objection which is received after the end of the period specified in paragraph (2) shall be regarded as properly referred if the Assembly is satisfied that it was not reasonably practicable for the objection to have been received earlier than the time when it was received.

(4) On a reference under paragraph (1) the Assembly shall decide whether, and (if so) to what extent, the objection should be upheld, but nothing in this paragraph shall require the Assembly to take such steps before the proposals required to be published under section 28(1) and (2) of the 1998 Act have been approved in accordance with the provisions of Schedule 6 to that Act.

(5) Where the Assembly decides that an objection referred to it under this regulation should be upheld to any extent, its decision on the objection may specify the modifications that are to be made to the admission arrangements in question.

(6) The decisions of the Assembly and the reasons for them shall be published by notifying them in writing to the parties to the objection and to all other bodies whom the admission authority was required to consult about the initial admission arrangements under regulation 4(2).

(7) The decision of the Assembly shall, in relation to the initial admission arrangements in question, be binding on the admission authority and on all persons by whom an objection about those arrangements may be made under paragraph (1); and if that decision is to

benderfyniad i gadarnhau'r gwrthwynebiad i unrhyw raddau, diwygir y trefniadau hynny ar unwaith gan yr awdurdod derbyn yn y fath fodd ag i roi effaith i'r penderfyniad.

### **Trefniadau arbennig ar gyfer cymeriad crefyddol ysgolion newydd**

6.—(1) Mae'r Rheoliad hwn yn darparu ar gyfer cynnwys yn y trefniadau derbyn cychwynnol ar gyfer ysgol a fydd yn ysgol sefydledig neu'n ysgol wirfoddol a gynorthwyr â chymeriad crefyddol iddi drefniadau ynglŷn â derbyn disgyblion i'r ysgol er mwyn diogelu cymeriad crefyddol yr ysgol ("trefniadau arbennig").

(2) Pan gytunir ar unrhyw drefniadau arbennig a ddymunir gan yr awdurdod derbyn dros ysgol o'r fath gan yr awdurdod addysg lleol —

- (a) caiff yr awdurdod derbyn eu hymgorffori yn y trefniadau derbyn cychwynnol arfaethedig sy'n ddarostyngedig i ymgynghoriad o dan reoliad 4(2); a
- (b) os bydd yr awdurdod derbyn yn gwneud hynny, bydd rheoliad 5(1) yn gymwys i unrhyw wrthwynebiad ynglŷn â'r trefniadau arbennig —
  - (i) a wneir gan awdurdod derbyn yr ymgynghorwyd ag ef o dan reoliad 4(2)(b), a
  - (ii) sy'n dod o fewn cwmpas y rheoliad hwnnw, fel y bo'n gymwys i unrhyw wrthwynebiad arall sy'n dod o fewn cwmpas y rheoliad hwnnw.

(3) Pan na chytunir ar unrhyw drefniadau arbennig a ddymunir gan gorff llywodraethu dros dro ysgol newydd o'r fath gan yr awdurdod addysg lleol —

- (a) caiff yr awdurdod derbyn ymgorffori drafft o unrhyw drefniadau o'r fath yn y trefniadau derbyn cychwynnol arfaethedig sy'n ddarostyngedig i ymgynghoriad o dan reoliad 4(2); ond
- (b) os bydd y corff llywodraethu dros dro yn gwneud hynny-
  - (i) byddant yn cyfeirio'r trefniadau drafft at y Cynulliad, a
  - (ii) ni fyddant yn penderfynu mabwysiadu'r trefniadau hynny yn y trefniadau derbyn cychwynnol ar gyfer yr ysgol oni fydd (ac i'r graddau y bydd) y Cynulliad yn penderfynu y gallant wneud hynny o dan y rheoliad hwn, a
  - (iii) caiff unrhyw un o'r cyrff yr ymgynghorwyd â hwy o dan reoliad 4(2) godi gwrthwynebiad yn y dull a ragnodir gan O.S. 1999/125 i'r Cynulliad ynglŷn â'r trefniadau drafft.

(4) Ar ôl cael cyfeiriad o'r fath, bydd y Cynulliad yn penderfynu (gan roi sylw i unrhyw wrthwynebiadau a gafwyd ganddo o dan baragraff (3)) a gaiff yr awdurdod derbyn fabwysiadu'r trefniadau drafft, heb eu haddasu

uphold the objection to any extent, those arrangements shall forthwith be revised by the admission authority in such a way as to give effect to the decision.

### **Special arrangements for religious character of new schools**

6.—(1) This Regulation makes provision for the inclusion in the initial admission arrangements for a school which will be a foundation or voluntary aided school which has a religious character of arrangements in respect of the admission of pupils to the school for preserving the religious character of the school ("special arrangements").

(2) Where any special arrangements desired by the admission authority for such a school are agreed to by the local education authority —

- (a) the admission authority may incorporate them in the proposed initial admission arrangements which are subject to consultation under regulation 4(2); and
- (b) if the admission authority do so, regulation 5(1) shall apply to any objection about the special arrangements which —
  - (i) is made by an admission authority consulted under regulation 4(2)(b), and
  - (ii) falls within that regulation, as it applies to any other objection falling within that regulation.

(3) Where any special arrangements desired by the temporary governing body of such a school are not agreed to by the local education authority —

- (a) the admission authority may incorporate a draft of any such arrangements in the proposed initial admission arrangements which are subject to consultation under regulation 4(2); but
- (b) if the temporary governing body do so —
  - (i) they shall refer the draft arrangements to the Assembly, and
  - (ii) they shall not determine to adopt those arrangements in the initial admission arrangements for the school unless (and to the extent that) the Assembly decides under this regulation that they may do so, and
  - (iii) any of the bodies consulted under regulation 4(2) may make an objection in the manner prescribed by S.I.1999/125 to the Assembly about the draft arrangements.

(4) On such a reference the Assembly shall decide whether (having regard to any objections received by it under paragraph (3)) the draft arrangements may be adopted by the admission authority, with or without



neu beidio, ond ni fydd dim yn y paragraff hwn yn ei gwneud yn ofynnol i'r Cynulliad gymryd camau o'r fath cyn bod y cynigion y mae'n ofynnol eu cyhoeddi o dan adran 28(1) a (2) o Ddeddf 1998 wedi'u cymeradwyo yn unol â darpariaethau Atodlen 6 i'r Ddeddf honno.

(5) Yn achos unrhyw trefniadau drafft a gyfeirir ato o dan y rheoliad hwn, bydd y Cynulliad yn cyhoeddi ei benderfyniad ar y cyfeiriad a'r rhesymau drosto.

(6) Dyma'r wybodaeth y dylid ei chyhoeddi o dan baragraff (5) —

- (a) enw'r awdurdod derbyn ac (os yw'n wahanol) yr ysgol y mae'r trefniadau derbyn cychwynnol yn ymwneud â hwy; a
- (b) disgrifiad byr o'r penderfyniad a'r rhesymau drosto.

(7) Bydd penderfyniad y Cynulliad ar unrhyw gyfeiriad o'r fath ynglŷn â'r trefniadau drafft o dan sylw, yn rhwymo'r corff llywodraethu dros dro a phob person yr ymgynghorwyd â hwy o dan reoliad 4(2).

(8) Pan fydd awdurdod derbyn, yn unol â darpariaethau blaenorol y rheoliad hwn (a chyhyd ag y bo'n gymwysadwy, rheoliadau 4 a 5), benderfynu y dylai'r trefniadau derbyn cychwynnol ar gyfer eu hysgol gynnwys unrhyw drefniadau arbennig, bydd y darpariaethau hynny yn gymwys ar unrhyw adeg wedi hynny —

- (a) pan fydd yr awdurdod derbyn yn dymuno addasu'r trefniadau arbennig hynny; neu
- (b) lle cytunodd yr awdurdod addysg lleol ar unrhyw drefniadau o'r fath, pan fydd yr awdurdod yn tynnu eu cytundeb ar y trefniadau hynny yn ôl neu unrhyw ran ohonynt p'un ai gyda golwg ar geisio gwneud unrhyw addasiad iddynt neu fel arall.

### **Cymhwyso'r deddfiadau**

7. Bydd darpariaethau'r Deddfau Addysg a bennir yn yr Atodlen i'r Rheoliadau hyn yn gymwys i ysgolion newydd, yn ddarostyngedig i'r addasiadau a ragnodir yn yr Atodlen honno.

### **Darpariaethau trosiannol**

8.—(1) Mae'r paragraff hwn yn gymwys i ysgol newydd —

- (a) lle cyhoeddwyd y cynigion ar gyfer ei sefydlu o dan ddarpariaethau Rhan II o Ddeddf 1996 (ysgolion a gynhelir gan awdurdodau addysg lleol);
- (b) sy'n cael ei thrin (neu a gaiff ei thrin) fel ysgol a sefydlwyd o dan adran 28 o Ddeddf 1998 yn rhinwedd —
  - (i) rheoliad 6 o O.S. 1999/362, neu
  - (ii) rheoliad 12 o O.S. 1999/704; ac
- (c) sy'n derbyn disgyblion am y tro cyntaf ym mlwyddyn ysgol 1999/2000.

modification, but nothing in this paragraph shall require the Assembly to take such steps before the proposals required to be published under section 28(1) and (2) of the 1998 Act have been approved in accordance with the provisions of Schedule 6 to that Act.

(5) In the case of any draft arrangements referred to it under this regulation, the Assembly shall publish its decision on the reference and the reasons for it.

(6) The information to be published under paragraph (5) is —

- (a) the name of the admission authority and (if different) of the school to which the initial admission arrangements relate; and
- (b) a short description of the decision and of the reasons for it.

(7) The decision of the Assembly on any such reference shall, in relation to the draft arrangements in question, be binding on the temporary governing body and on all persons consulted under regulation 4(2).

(8) Where an admission authority have, in accordance with the preceding provisions of this regulation (and, so far as applicable regulations 4 and 5), determined that the initial admission arrangements for their school should include any special arrangements, those provisions shall apply on any subsequent occasion —

- (a) when the admission authority desire to modify those special arrangements; or
- (b) where the local education authority agreed to any such arrangements, when the authority withdraw their agreement to those arrangements or any part of them, whether with a view to seeking any modification of them or otherwise.

### **Application of enactments**

7. The provisions of the Education Acts specified in the Schedule to these Regulations shall apply to new schools, subject to the modifications prescribed in that Schedule.

### **Transitional provisions**

8.—(1) This paragraph applies to a new school —

- (a) where the proposals for its establishment were published under the provisions of Part II of the 1996 Act (schools maintained by local education authorities);
- (b) which is treated (or will be treated) as established under section 28 of the 1998 Act by virtue of —
  - (i) regulation 6 of S.I. 1999/362, or
  - (ii) regulation 12 of S.I. 1999/704; and
- (c) which first admits pupils in the 1999/2000 school year.

(2) Pan fydd y trefniadau derbyn cychwynnol ar gyfer ysgol y mae paragraff (1) yn gymwys iddi wedi'u gwneud cyn 1 Medi 1999 yn unol ag adran 422 o Ddeddf 1996 mewn perthynas â blwyddyn ysgol 1999/2000, bydd y trefniadau hynny yn parhau i gael effaith ar ac ar ôl y dyddiad hwnnw at ddibenion derbyn disgyblion i'r ysgol yn ystod y flwyddyn honno.

(3) Bydd adran 422(6) o Ddeddf 1996(a), a darpariaethau eraill Deddf 1996 y cyfeirir atynt ynddi yn parhau i gael effaith ynglŷn ag ysgol y mae paragraff (1) yn gymwys iddi (gydag unrhyw addasiadau angenrheidiol) at y dibenion canlynol —

- (a) penderfynu ar gais i dderbyn plentyn i'r ysgol yn y flwyddyn ysgol 1999/2000 a wneir cyn 1 Medi 1999;
- (b) apêl yn erbyn penderfyniad fel y'i crybwyllir yn adran 423(1) neu (2) o 423A(2) o Ddeddf 1996 ynglŷn â derbyn plentyn i'r ysgol yn y flwyddyn ysgol 1999/2000 lle cyn y dyddiad hwnnw —
  - (i) yr oedd hysbysiad apêl wedi'i roi; ond
  - (ii) nad oedd yr apêl wedi'i phenderfynu gan bwyllgor apêl a bennwyd yn unol â pharagraff 1 neu 2 o Atodlen 33 i Ddeddf 1996.

(4) Mae'r cyfeiriad ym mharagraff (3)(a) at gais am dderbyn plentyn i ysgol yn cynnwys cyfeiriad —

- (a) at ddewis a fynegwyd gan riant yn unol â'r trefniadau a wnaed gan awdurdod addysg lleol o dan adran 411(1) o Ddeddf 1996; a
- (b) at gais fel y'i crybwyllir yn adran 438(4) neu 440(2) o'r Ddeddf honno.

(5) Mae paragraffau (2) a (3) yn gymwys er gwaethaf —

- (a) diddymu adran 422 o Ddeddf 1996, a
- (b) darpariaethau rheoliadau 3 a 4 uchod.

(2) Where, before 1st September 1999, initial admission arrangements for a school to which paragraph (1) applies have been made pursuant to section 422 of the 1996 Act in relation to the 1999/2000 school year, those arrangements shall continue to have effect on and after that date for the purposes of the admission of pupils to the school in the course of that year.

(3) Section 422(6) of the 1996 Act(a), and the other provisions of the 1996 Act referred to therein, shall continue to have effect in relation to a school to which paragraph (1) applies (with any necessary modifications) for the following purposes —

- (a) the determination of an application for the admission of a child to the school in the 1999/2000 school year which is made before 1st September 1999;
- (b) an appeal against a decision as mentioned in section 423(1) or (2) or 423A(2) of the 1996 Act concerning the admission of a child to the school in the 1999/2000 school year where before that date —
  - (i) notice of appeal has been given; but
  - (ii) the appeal has not been determined by an appeal committee determined in accordance with paragraph 1 or 2 of Schedule 33 to the 1996 Act.

(4) The reference in paragraph (3)(a) to an application for the admission of a child to a school includes a reference to —

- (a) a preference expressed by a parent in accordance with arrangements made by a local education authority under section 411(1) of the 1996 Act; and
- (b) an application as mentioned in section 438(4) or 440(2) of that Act.

(5) Paragraphs (2) and (3) apply notwithstanding —

- (a) the repeal of section 422 of the 1996 Act, and
- (b) the provisions of regulations 3 and 4 above.

31 Awst 1999

*Y Llywydd*  
*Cynulliad Cenedlaethol Cymru*

*Dafydd Elis Thomas*

31st August 1999

*Presiding Officer*  
*National Assembly for Wales*

(a) Diwygiwyd adran 422(6) o Ddeddf 1996 gan baragraff 32 o Atodlen 7 i Ddeddf Addysg 1997 (p.44).

(a) Section 422(6) of the 1996 Act was amended by paragraph 32 of Schedule 7 to the Education Act 1997 (c.44).

## ATODLEN

## SCHEDULE

(Darpariaethau Deddf 1996 a Deddf 1998 sy'n gymwys gydag addasiadau i ysgolion newydd)

1. Bydd darpariaethau canlynol y Deddfau Addysg, sef —

adrannau 324(5)(b) a (5A) a 439 o Ddeddf 1996(a) paragraff 3(4) o atodlen 27 i Ddeddf 1996(b)

adrannau 1, 84, 86 i 87, 92, 93(1) a (2), 94, 95 i 99, a 101, 102 a 103(3) o Ddeddf 1998,

paragraff 2 o Atodlen 23 (cyhyd ag y byddai'n peidio â bod yn gymwys fel arall i ysgol newydd) ac Atodlenni 24 a 25 i Ddeddf 1998, ac

unrhyw Reoliadau a wnaed o dan unrhyw un o'r darpariaethau y cyfeirir atynt yn is-baragraffau (a) i (d) uchod (cyhyd ag y bônt yn ymwneud â Chymru),

yn gymwys ynglŷn ag ysgol newydd, ond yn ddarostyngedig i'r addasiadau a bennir ym mharagraffau 2 i 8 isod.

2. Dehonglir cyfeiriad mewn unrhyw un o'r darpariaethau a bennir ym mharagraff 1 at ysgol yn un o'r categorïau canlynol, sef —

ysgol a gynhelir,

ysgol a gynhelir gan awdurdod addysg lleol,

ysgol gymunedol, sefydledig neu wirfoddol, neu

ysgol wirfoddol a reolir neu ysgol wirfoddol a gynorthwyr,

fel cyfeiriad at ysgol newydd a ddaw'n ysgol o'r categori hwnnw pan fydd yn derbyn disgyblion am y tro cyntaf.

3. Bydd i gyfeiriad mewn unrhyw un o'r darpariaethau hynny at gorff llywodraethu ysgol effaith fel petai'n gyfeiriad at y corff llywodraethu dros dro neu (lle bo'r cyd-destun yn caniatáu hynny) at unrhyw berson arall sy'n gyfrifol am dderbyn disgyblion o dan y trefniadau derbyn cychwynnol.

4. Dehonglir cyfeiriad yn y darpariaethau hynny at "admission arrangements" fel cyfeiriad at "drefniadau derbyn cychwynnol" fel y'u diffinir yn rheoliad 2 uchod.

5. Bydd i adran 92(1) a (2) o Ddeddf 1998 effaith fel petai'r geiriau "the year in which pupils are first to be admitted to a new school" wedi'u rhoi yn lle "each school year".

6. Ni fydd adran 99 o Ddeddf 1998 yn gymwys i ysgol newydd sydd i'w sefydlu yn lle un neu ragor o

(Provisions of the 1996 Act and the 1998 Act applying in relation to new schools with modifications)

1. The following provisions of the Education Acts, namely —

sections 324(5)(b) and (5A) and 439 of the 1996 Act(a)

paragraph 3(4) of schedule 27 to the 1996 Act(b), sections 1,84, 86 to 87, 92, 93(1) and (2), 94, 95 to 99, and 101, 102 and 103(3) of the 1998 Act,

paragraph 2 of Schedule 23 (insofar as it would not otherwise apply to a new school) and Schedules 24 and 25 to the 1998 Act, and

any Regulations made under any of the provisions referred to in sub-paragraphs (a) to (d) above (so far as they relate to Wales),

shall apply in relation to a new school, but subject to the modifications specified in paragraphs 2 to 8 below.

2. A reference in any of the provisions specified in paragraph 1 to a school of one of the following categories, namely —

a maintained school,

a school maintained by a local education authority,

a community, foundation or voluntary school, or

a voluntary controlled or a voluntary aided school,

shall be construed as a reference to a new school which will become a school of that category when it first admits pupils.

3. A reference in any of those provisions to a governing body of a school shall have effect as if it were a reference to the temporary governing body or (where the context admits) to any other person responsible for the admission of pupils under the initial admission arrangements.

4. A reference in those provisions to "admission arrangements" shall be construed as a reference to "initial admission arrangements" as defined in regulation 2 above.

5. Section 92(1) and (2) of the 1998 Act shall have effect as if for the words "each school year" there were substituted "the year in which pupils are first to be admitted to a new school".

6. Section 99 of the 1998 Act shall not apply in relation to a new school to be established in substitution

(a) Diwygiwyd adran 324(5)(b), a mewnosodwyd adran 325(5A), gan baragraff 77 o Atodlen 30 i Ddeddf 1998. Diwygiwyd adran 439 gan baragraff 115 o'r Atodlen honno.

(b) Diwygiwyd paragraff 3 o Atodlen 27 gan baragraff 186 o Atodlen 30 i Ddeddf 1998.

(a) Section 324(5)(b) was amended, and section 325(5A) inserted, by paragraph 77 of Schedule 30 to the 1998 Act. Section 439 was amended by paragraph 115 of that Schedule.

(b) Paragraph 3 of Schedule 27 was amended by paragraph 186 of Schedule 30 to the 1998 Act.

ysgolion a derfynwyd ac y mae pob un ohonynt naill ai wedi'i dynodi fel ysgol ramadeg neu y gallai fod wedi'i dynodi felly o dan adran 104 o Ddeddf 1998 ond bydd iddi effaith fel arall fel petai is-adrannau (2)(a) a (4)(a) wedi'u hepgor.

7. Bydd i adran 101(1) effaith fel petai "the year in which pupils are first to be admitted to a new school" wedi'u rhoi yn lle'r geiriau "any year".

8. Bydd i adran 103(3) o Ddeddf 1998 effaith fel petai'r geiriau "(whether authorised by section 100 or section 101)" wedi'u hepgor.

for one or more discontinued schools each of which either has been or could have been designated as a grammar school under section 104 of the 1998 Act but shall otherwise have effect as if subsections (2)(a) and (4)(a) were omitted.

7. Section 101(1) shall have effect as if in subparagraph (a) for the words "any year" there shall be substituted "the year in which pupils are first to be admitted to a new school".

8. Section 103(3) of the 1998 Act shall have effect as if the words "(whether authorised by section 100 or section 101)" were omitted.

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**£3.00p**

WO 5657 11/99 ON

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Printed and published in the UK by The Stationery Office Limited  
under the authority and superintendence of Carol Tullo,  
Controller of Her Majesty's Stationery Office and Queen's Printer of  
Acts of Parliament.

ISBN 0-11-090008-1



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