CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2000 Rhif 3230 (Cy. 213) (C. 103)

ADDYSG CYMRU, CYFLOGAETH A HYFFORDDIANT, CYMRU

Gorchymyn Deddf Dysgu a Medrau 2000 (Cychwyn Rhif 2) (Cymru) 2000

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn dod â darpariaethau penodol o Ddeddf Dysgu a Medrau 2000 i rym ar 1 Ionawr 2001. Rhestrir y darpariaethau hynny, ac esbonnir eu heffeithiau, isod.

Mae adrannau 42, 43 a 44 yn gosod dyletswyddau ar Gyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant. Mae adran 42 yn ei gwneud yn ofynnol i'r Cyngor roi sylw priodol i hyrwyddo cyfleoedd cyfartal wrth arfer ei swyddogaethau. Mae adrannau 43 a 44 yn ei gwneud yn ofynnol i'r Cyngor wneud cynllun ar gyfer pob un o'i flynyddoedd ariannol a llunio strategaeth mewn perthynas â'i swyddogaethau.

Mae adrannau 46 a 48 yn rhoi pwerau atodol i'r Cyngor sy'n angenrheidiol i ganiatáu iddo gyflawni ei swyddogaethau a sefydlu pwyllgorau.

Mae adran 73 yn ailenwi Prif Arolygydd Ysgolion Ei Mawrhydi yng Nghymru ac Arolygwyr Ysgolion Ei Mawrhydi yng Nghymru. Mae adran 87 yn ei gwneud yn ofynnol i'r Prif Arolygydd baratoi cynllun blynyddol a'i gyflwyno i'r Cynulliad Cenedlaethol ar gyfer ei gymeradwyo.

Mae adrannau 93 a 95 yn rhoi pŵer i'r Cynulliad Cenedlaethol wneud cynlluniau ar gyfer trosglwyddo i'r Cyngor eiddo, hawliau a rhwymedigaethau (gan gynnwys hawliau cyflogaeth) sy'n gysylltiedig â'r ffaith bod y Cyngor yn ymgymryd â'i swyddogaethau.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2000 No. 3230 (W. 213) (C. 103)

EDUCATION WALES, EMPLOYMENT AND TRAINING, WALES

The Learning and Skills Act 2000 (Commencement No. 2) (Wales) Order 2000

EXPLANATORY NOTE

(This note does not form part of the Order)

This Order brings into force on 1st January 2001 certain provisions of the Learning and Skills Act 2000. Those provisions are listed, and their effect explained, below.

Sections 42, 43 and 44 impose duties on the National Council for Education and Training for Wales. Section 42 requires the Council to have due regard to the promotion of equality of opportunity in the exercise of its functions. Sections 43 and 44 require the Council to make a plan for each of its financial years and to formulate a strategy in relation to its functions.

Sections 46 and 48 give the Council supplementary powers necessary to enable it to carry out its functions and to establish committees.

Section 73 renames Her Majesty's Chief Inspector of Schools in Wales and Her Majesty's Inspectors of Schools in Wales. Section 87 requires the Chief Inspector to prepare an annual plan and submit it to the National Assembly for approval.

Sections 93 and 95 empower the National Assembly to make schemes for the transfer to the Council of property, rights and liabilities (including employment rights) associated with the acquisition by the Council of its functions.

Mae adran 139 yn caniatáu i gyfnodau ymsefydlu athrawon ac athrawesau gael eu bwrw mewn sefydliadau addysg bellach o dan rai amgylchiadau.

Mae adran 141 yn rhoi pŵer i'r Cynulliad Cenedlaethol, o dan amgylchiadau penodol, gyfarwyddo cwmnïau y mae wedi contractio gyda hwy mewn perthynas â darparu hyfforddiant i beidio â chymryd camau penodol. Mae'n rhoi pŵer hefyd i'r Cynulliad Cenedlaethol wneud rheoliadau sy'n rhagnodi'r mathau o gamau y gellir eu cynnwys mewn cyfarwyddiadau o'r fath.

Mae adran 145 yn ymdrin â rhwymedigaeth sifil llywodraethwyr sefydliadau addysg bellach penodol .

Mae Atodlenni 9 ac 11 yn eu tro yn cynnwys diwygiadau a diddymiadau canlyniadol.

Section 139 allows induction periods for teachers to be served in further education institutions in some circumstances.

Section 141 empowers the National Assembly, in certain circumstances, to direct companies with whom it has contracted in respect of the provision of training not to take certain actions. It also empowers the National Assembly to make regulations prescribing the types of actions which may be included in such directions.

Section 145 deals with the civil liability of governors of certain further education institutions.

Schedules 9 and 11 respectively contain consequential amendments and repeals.

Nodyn ynghylch Gorchmynion Cychwyn cynharach

(Nid yw'r Nodyn hwn yn rhan o'r Gorchymyn)

Daethpwyd neu deuir â darpariaethau canlynol Deddf Dysgu a Medrau 2000 i rym mewn perthynas â Chymru drwy orchmynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

Note as to earlier Commencement Orders

(This Note is not part of the Order)

The following provisions of the Learning and Skills Act 2000 have been, or will be, brought into force in relation to Wales by commencement orders made before the date of this Order.

Y ddarpariaeth	**Y dyddiad cychwyn**	**O.S. Rhif**
Adrannau 104 i 109	3 Awst 2000	2000/2114 (C.56).
Adran 94, ac adran 149 i'r graddau y mae'n ymwneud â pharagraff 87 o Atodlen 9. Yn Atodlen 9, paragraff 87.	1 Medi 2000	2000/2114 (C.56).
Adrannau 30, 47, 49, 51, ac adran 149 i'r graddau y mae'n ymwneud â'r paragraffau yn Atodlen 9 a restrir isod. Atodlen 4, ac yn Atodlen 9, paragraffau 3, 4 a 93.	19 Medi 2000	2000/2540 (Cy.163) (Cy.70)
Adrannau 134 i 136, 146 a 149 i'r graddau y mae'n ymwneud â pharagraff 14 o Atodlen 9.Yn Atodlen 9, paragraff 14.	1 Hydref 2000	2000/2559 (C.73)
Provision	**Date of Commencement**	**S.I. No.**
Sections 104 to 109	3 August 2000	2000/2114 (C.56)
Sections 94, and 149 insofar as it relates to paragraph 87 of Schedule 9. In Schedule 9, paragraph 87.	1 September 2000	2000/2114 (C.56)
Sections 30, 47, 49, 51 and 149 insofar as it relates to the paragraphs of Schedule 9 listed below. Schedule 4, and in Schedule 9 paragraphs 3, 4 and 93.	19 September 2000	2000/2540 (W.163) (C70)

Sections 134 to 136, 146 and 149 in so far as it relates to paragraph 14 of Schedule 9. In Schedule 9, paragraph 14.	1 October 2000	2000/2559 (C.73)

OFFERYNNAU STATUDOL

2000 Rhif 3230 (Cy. 213) (C. 103)

ADDYSG CYMRU, CYFLOGAETH A HYFFORDDIANT, CYMRU

Gorchymyn Deddf Dysgu a Medrau 2000 (Cychwyn Rhif 2) (Cymru) 2000

Wedi'i wneud *7 Rhagfyr 2000*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adran 154(2) a (4) o Ddeddf Dysgu a Medrau 2000**(a)**:

Enwi, dehongli a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Dysgu a Medrau 2000 (Cychwyn Rhif 2) (Cymru) 2000.

(2) Yn y Gorchymyn hwn ystyr "y Ddeddf" yw Deddf Dysgu a Medrau 2000.

(3) Mae'r Gorchymyn hwn yn gymwys i Gymru a daw'r darpariaethau a bennir yn yr Atodlen i rym mewn perthynas â Chymru at bob diben oni nodir yn wahanol.

Darpariaethau sy'n dod i rym

2. Daw darpariaethau'r Ddeddf a bennir yn yr Atodlen i'r Gorchymyn hwn i rym ar 1 Ionawr 2001.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998**(b)**

7 Rhagfyr 2000

Llywydd y Cynulliad Cenedlaethol

(a) 2000 p.21.

(b) 1998 p.38.

STATUTORY INSTRUMENTS

2000 No. 3230 (W. 213) (C. 103)

EDUCATION WALES, EMPLOYMENT AND TRAINING, WALES

The Learning and Skills Act 2000 (Commencement No. 2) (Wales) Order 2000

Made *7th December 2000*

The National Assembly for Wales makes the following Order in exercise of powers conferred on it by section 154(2) and (4) of the Learning and Skills Act 2000**(a)**:

Citation, interpretation and application

1.-(1) This Order may be cited as the Learning and Skills Act 2000 (Commencement No. 2) (Wales) Order 2000.

(2) In this Order "the Act" means the Learning and Skills Act 2000.

(3) This Order applies to Wales and the provisions specified in the Schedule shall come into force in relation to Wales for all purposes unless otherwise specified.

Provisions coming into force

2. The provisions of the Act specified in the Schedule to this Order shall come into force on 1 January 2001.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998**(b)**

7th December 2000

D. Elis Thomas

The Presiding Officer of the National Assembly

(a) 2000 c.21.

(b) 1998 c.38.

ATODLEN Erthygl 2

Darpariaethau sy'n dod i rym ar 1 Ionawr 2001 mewn perthynas â Chymru

Adran 42.

Adran 43.

Adran 44.

Adran 46.

Adran 48.

Adran 73.

Adran 87.

Adran 93.

Adran 95.

Adran 139.

Adran 141.

Adran 145.

Adran 149 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 9 a bennir isod.

Adran 153 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 11 a bennir isod.

Atodlen 5.

Yn Atodlen 9 -

paragraff 21(b)

paragraff 34,

paragraff 36,

paragraff 44(3) a (4),

paragraff 45,

paragraff 64,

paragraff 70,

paragraff 81,

paragraff 86,

paragraff 92.

Yn Atodlen 11 diddymiadau'r canlynol i'r graddau y maent yn ymwneud â Chymru -

adrannau 18(4) i (6), 60A o Ddeddf Addysg Bellach ac Uwch 1992 ac Atodlen 5A iddi,

paragraff 113 o Atodlen 37 i Ddeddf Addysg 1996,

SCHEDULE Article 2

Provisions coming into force on 1 January 2001 in relation to Wales

Section 42.

Section 43.

Section 44.

Section 46.

Section 48.

Section 73.

Section 87.

Section 93.

Section 95.

Section 139.

Section 141.

Section 145.

Section 149 insofar as it relates to the provisions of Schedule 9 specified below.

Section 153 insofar as it relates to the provisions of Schedule 11 specified below.

Schedule 5.

In Schedule 9-

paragraph 21(b),

paragraph 34,

paragraph 36,

paragraph 44(3) and (4),

paragraph 45,

paragraph 64,

paragraph 70,

paragraph 81,

paragraph 86,

paragraph 92.

In Schedule 11 the repeal insofar as they relate to Wales of-

sections 18(4)to(6), 60A of and Schedule 5A to the Further and Higher Education Act 1992,

paragraph 113 of Schedule 37 to the Education Act 1996,

yn adran 19, yn is-adran (1) y gair “or” yn union cyn paragraff (b), yn is-adran (2)(f) y geiriau “employed as a teacher at a school” ac yn is-adran (10) y gair “and” yn union cyn paragraff (c); a’r geiriau “attendance on” yn adran 22(2)(h) a (7) o Ddeddf Addysgu ac Addysg Uwch 1998,

in section 19, in subsection (1) the word “or” immediately preceeding paragraph (b), in subsection (2)(f) the words “employed as a teacher at a school” and in subsection (10) the word “and” immediately preceeding paragraph (c); and the words “attendance on” in section 22(2)(h) and (7), of the Teaching and Higher Education Act 1998,

adrannau 125 a 126 o Ddeddf Safonau a Fframwaith Ysgolion 1998 ac Atodlen 27 iddi,

sections 125, 126 and Schedule 27 of the School Standards and Framework Act 1998,

y geiriau o “; and in determining” hyd at ddiwedd adran 104(4) o Ddeddf Llywodraeth Cymru 1998.

the words from “; and in determining” to the end of section 104(4) of the Government of Wales Act 1998.

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EDUCATION WALES, EMPLOYMENT AND TRAINING, WALES

The Learning and Skills Act 2000 (Commencement No. 2) (Wales) Order 2000

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