CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 3710 (Cy.306)

ADDYSG, CYMRU

Rheoliadau Deddf Dysgu a Medrau 2000 (Diwygiadau Canlyniadol) (Ysgolion) (Cymru) 2001

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud diwygiadau i reoliadau o ganlyniad i Ddeddf Dysgu a Medrau 2000. Maent yn disodli cyfeiriadau at Gyngor Cyllido Addysg Bellach Cymru a Chynghorau Hyfforddi a Menter â chyfeiriadau at Gyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant. Mae rheoliad 8 hefyd yn adlewyrchu newidiadau a gyflwynwyd gan y Ddeddf honno mewn perthynas â chynnwys cynllun trefniadaeth ysgol.

Dyma'r Rheoliadau sy'n cael eu diwygio.

Rheoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994;

Rheoliadau Awdurdodau Addysg Lleol (Cynlluniau Cymorth Ymddygiad) 1998;

Rheoliadau Addysg (Cyhoeddi Adroddiadau Arolygu Awdurdodau Addysg Lleol) 1998;

Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 1998;

Rheoliadau Addysg (Cynlluniau Trefniadaeth Ysgolion) (Cymru) 1999;

Rheoliadau Addysg (Ysgolion Arbennig a Gynhelir) (Cymru) 1999;

Rheoliadau Addysg (Gwybodaeth Ysgolion) (Cymru) 1999.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 3710 (W.306)

EDUCATION, WALES

The Learning and Skills Act 2000 (Consequential Amendments) (Schools) (Wales) Regulations 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to regulations which are consequential upon the Learning and Skills Act 2000. They replace references to the Further Education Funding Council for Wales and Training and Enterprise Councils by references to the National Council for Education and Training for Wales. Regulation 8 also reflects changes introduced by that Act in respect of the contents of a school organisation plan.

The Regulations which are amended are:

The Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994;

The Local Education Authority (Behaviour Support Plans) Regulations 1998;

The Education (Publication of Local Education Authority Inspection Reports) Regulations 1998;

The Education (School Inspection) (Wales) Regulations 1998;

The Education (School Organisation Plans) (Wales) Regulations 1999;

The Education (Maintained Special Schools) (Wales) Regulations 1999;

The Education (School Information) (Wales) Regulations 1999.

OFFERYNNAU STATUDOL

2001 Rhif 3710 (Cy.306)

ADDYSG, CYMRU

Rheoliadau Deddf Dysgu a Medrau 2000 (Diwygiadau Canlyniadol) (Ysgolion) (Cymru) 2001

Wedi'u gwneud	*15 Tachwedd 2001*
Yn dod i rym	*1 Ionawr 2002*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan y deddfiadau a bennir yn yr Atodlen:

Enwi, cychwyn a chymhwyso

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Dysgu a Medrau 2000 (Diwygiadau Canlyniadol) (Ysgolion) (Cymru) 2001, a deuant i rym ar 1 Ionawr 2002.

2. Mae'r Rheoliadau hyn yn gymwys mewn perthynas â Chymru.

Diwygio Rheoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994

3.-(1) Mae Rheoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994(**a**) yn cael eu diwygio fel a ganlyn.

(2) Ym mharagraff 9(1) o Atodlen 2 (Darparu gwybodaeth) yn lle'r geiriau "the appropriate further education funding council (as defined in section 1(6) of the Further and Higher Education Act 1992)" rhowch y geiriau "the appropriate council (within the meaning of section 61A of the Further and Higher Education Act 1992(**b**))".

(a) O.S. 1994/651.

(b) 1992 p.13. Mewnosodwyd adran 61A gan Ddeddf Dysgu a Medrau 2000 (p.21), Atodlen 9, paragraff 37.

STATUTORY INSTRUMENTS

2001 No. 3710 (W.306)

EDUCATION, WALES

The Learning and Skills Act 2000 (Consequential Amendments) (Schools) (Wales) Regulations 2001

Made	*15th November 2001*
Coming into force	*1st January 2002*

The National Assembly for Wales makes the following regulations in exercise of the powers conferred upon it by the enactments specified in the Schedule:

Citation, commencement and application

1. These Regulations are called the Learning and Skills Act 2000 (Consequential Amendments) (Schools) (Wales) Regulations 2001, and shall come into force on 1st January 2002.

2. These Regulations apply in relation to Wales.

Amendment of the Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994

3.-(1) The Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994(**a**) are amended as follows.

(2) In paragraph 9(1) of Schedule 2 (Provision of information) for the words "the appropriate further education funding council (as defined in section 1(6) of the Further and Higher Education Act 1992)" substitute the words "the appropriate council (within the meaning of section 61A of the Further and Higher Education Act 1992(**b**))".

(a) S.I. 1994/651.

(b) 1992 c.13. Section 61A was inserted by the Learning and Skills Act 2000 (c.21), Schedule 9, paragraph 37.

Diwygio Rheoliadau Awdurdodau Addysg Lleol (Cynlluniau Cymorth Ymddygiad) 1998

4.-(1) Mae Rheoliadau Awdurdodau Addysg Lleol (Cynlluniau Cymorth Ymddygiad) 1998(**a**) yn cael eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 hepgorwch -

" 'Training and Enterprise Council' means a company limited by guarantee formed for the purpose of entering into, and with whom the Secretary of State has entered into, arrangements under section 2 of the Employment and Training Act 1973 for the purpose of assisting persons to select, train for, and obtain or retain employment."

(3) Yn lle rheoliad 3(2)(m), rhowch -

"(m) the National Council for Education and Training for Wales;".

Diwygio Rheoliadau Addysg (Cyhoeddi Adroddiadau Arolygu Awdurdodau Addysg Lleol) 1998

5.-(1) Mae Rheoliadau Addysg (Cyhoeddi Adroddiadau Arolygu Awdurdodau Addysg Lleol) 1998(**b**) yn cael eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 hepgorwch -

" 'Training and Enterprise Council', in relation to an authority, means every body with whom the Secretary of State has made arrangements under section 2 of the Employment and Training Act 1973 for the purpose of assisting persons who reside in the authority's area to select, train for, obtain or retain employment;"

(3) Yn lle rheoliad 4(d) rhowch -

"(d) the National Council for Education and Training for Wales;".

Diwygio Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 1998

6.-(1) Mae Rheoliadau Addysg (Arolygu Ysgolion) (Cymru) 1998(**c**) yn cael eu diwygio fel a ganlyn.

(2) Yn rheoliad 5 (Hysbysu Arolygiad) -

(a) ym mharagraff (1)(g) yn lle'r geiriau "a further education funding council" rhowch y geiriau "the National Council for Education and Training for Wales";

(b) ym mharagraff (1)(i) yn lle'r geiriau "the Training and Enterprise Council for the area in which the school is located" rhowch y geiriau "the National Council for Education and Training for Wales".

(a) O.S. 1998/644.

(b) O.S. 1998/880.

(c) O.S. 1998/1866.

Amendment of the Local Education Authority (Behaviour Support Plans) Regulations 1998

4.-(1) The Local Education Authority (Behaviour Support Plans) Regulations 1998(**a**) are amended as follows.

(2) In regulation 2 omit -

" 'Training and Enterprise Council' means a company limited by guarantee formed for the purpose of entering into, and with whom the Secretary of State has entered into, arrangements under section 2 of the Employment and Training Act 1973 for the purpose of assisting persons to select, train for, and obtain or retain employment."

(3) For regulation 3(2)(m), substitute -

"(m) the National Council for Education and Training for Wales;".

Amendment of the Education (Publication of Local Education Authority Inspection Reports) Regulations 1998

5.-(1) The Education (Publication of Local Education Authority Inspection Reports) Regulations 1998(**b**) are amended as follows.

(2) In regulation 2 omit -

" 'Training and Enterprise Council', in relation to an authority, means every body with whom the Secretary of State has made arrangements under section 2 of the Employment and Training Act 1973 for the purpose of assisting persons who reside in the authority's area to select, train for, obtain or retain employment;"

(3) For regulation 4(d) substitute -

"(d) the National Council for Education and Training for Wales;".

Amendment of the Education (School Inspection) (Wales) Regulations 1998

6.-(1) The Education (School Inspection) (Wales) Regulations 1998(**c**) are amended as follows.

(2) In regulation 5 (Notification of Inspection) -

(a) in paragraph (1)(g) for the words "a further education funding council" substitute the words "the National Council for Education and Training for Wales";

(b) in paragraph (1)(i) for the words "the Training and Enterprise Council for the area in which the school is located" substitute the words "the National Council for Education and Training for Wales".

(a) S.I. 1998/644.

(b) S.I. 1998/880.

(c) S.I. 1998/1866.

(3) Yn rheoliad 6 (Cyfarfod â'r Rhieni) -

(a) ym mharagraff (c)(ii) yn lle'r geiriau "a further education funding council" rhowch y geiriau "the National Council for Education and Training for Wales";

(b) ym mharagraff (d)(iv) yn lle'r geiriau "a further education funding council" rhowch y geiriau "the National Council for Education and Training for Wales".

(4) Yn rheoliad 8 (Cynlluniau Gweithredu) -

(a) ym mharagraff (3)(b) yn lle'r geiriau "the Training and Enterprise Council for the area in which the school is situated" rhowch y geiriau "the National Council for Education and Training for Wales";

(b) ym mharagraff (3)(c) yn lle'r geiriau "a further education funding council" rhowch y geiriau "the National Council for Education and Training for Wales".

Diwygio Rheoliadau Addysg (Cynlluniau Trefniadaeth Ysgolion) (Cymru) 1999

7.-(1) Mae Rheoliadau Addysg (Cynlluniau Trefniadaeth Ysgolion) (Cymru) 1999(**a**) yn cael eu diwygio fel a ganlyn.

(2) Ym mharagraff (1) o reoliad 3 (Cynnwys a pharhad Cynllun Trefniadaeth yr Ysgol) -

(a) ar ôl "section 26(2)(a)" rhowch "and (ab)"(**b**);

(b) yn lle "which provides" rhowch "which provide";

(c) ar ôl "exercise their functions" rhowch "and powers".

(3) Yn rheoliad 4 (Cyhoeddi'r Cynllun Drafft) yn lle paragraff (1)(a)(viii) rhowch -

(viii) the National Council for Education and Training for Wales;".

Diwygio Rheoliadau Addysg (Ysgolion Arbennig a Gynhelir) (Cymru) 1999

8.-(1) Mae Rheoliadau Addysg (Ysgolion Arbennig a Gynhelir) (Cymru) 1999(**c**) yn cael eu diwygio fel a ganlyn.

(2) Yn rheoliad 7 (Cyrff eraill y dylid anfon cynigion atynt) yn lle paragraff (2)(a) rhowch -

(a) the National Council for Education and Training for Wales, if the proposals affect the provision of education to which section 31(1) of the Learning and Skills Act 2000 applies;".

(a) O.S. 1999/499.

(b) Mewnosodwyd adran 26(2)(ab) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31) gan Ddeddf Dysgu a Medrau 2000 (p.21), Atodlen 9, paragraff 80.

(c) O.S. 1999/1780.

(3) In regulation 6 (Meeting with Parents) -

(a) in paragraph (c)(ii) for the words "a further education funding council" substitute the words "the National Council for Education and Training for Wales";

(b) in paragraph (d)(iv) for the words "a further education funding council" substitute the words "the National Council for Education and Training for Wales".

(4) In regulation 8 (Action Plans) -

(a) in paragraph (3)(b) for the words "the Training and Enterprise Council for the area in which the school is situated" substitute the words "the National Council for Education and Training for Wales";

(b) in paragraph (3)(c) for the words "a further education funding council" substitute the words "the National Council for Education and Training for Wales".

Amendment of the Education (School Organisation Plans) (Wales) Regulations 1999

7.-(1) The Education (School Organisation Plans) (Wales) Regulations 1999(**a**) are amended as follows.

(2) In paragraph (1) of regulation 3 (Content and duration of School Organisation Plan) -

(a) after "section 26(2)(a)" insert "and (ab)"(**b**);

(b) for "which provides" substitute "which provide";

(c) after "exercise their functions" insert "and powers".

(3) In regulation 4 (Publication of Draft Plan) for paragraph (1)(a)(viii) substitute -

(viii) the National Council for Education and Training for Wales;".

Amendment of the Education (Maintained Special Schools) (Wales) Regulations 1999

8.-(1) The Education (Maintained Special Schools) (Wales) Regulations 1999(**c**) are amended as follows.

(2) In regulation 7 (Other bodies to whom proposals should be sent) for paragraph (2)(a) substitute -

(a) the National Council for Education and Training for Wales, if the proposals affect the provision of education to which section 31(1) of the Learning and Skills Act 2000 applies;".

(a) S.I. 1999/499.

(b) Section 26(2)(ab) of the School Standards and Framework Act 1998 (c.31) was inserted by the Learning and Skills Act 2000 (c.21), Schedule 9, paragraph 80.

(c) S.I. 1999/1780.

Diwygio Rheoliadau Addysg (Gwybodaeth Ysgolion) (Cymru) 1999

9.-(1) Mae Rheoliadau Addysg (Gwybodaeth Ysgolion) (Cymru) 1999(**a**) yn cael eu diwygio fel a ganlyn.

(2) Yn rheoliad 6(9) yn lle'r geiriau "a further education funding council" rhowch y geiriau "the National Council for Education and Training for Wales".

(3) Hepgorwch baragraff 20 o Atodlen 1 (Gwybodaeth gyffredinol sydd i'w chyhoeddi gan yr awdurdodau, Rhan II - y ddarpariaeth addysgol arbennig) ac yn ei le rhowch y canlynol -

"**20.** The authority's arrangements and policies for persons with learning difficulties who are over compulsory school age but have not attained the age of nineteen years and who attend any institution outside the higher education sector where the National Council for Education and Training for Wales has secured provision under section 31 of the Learning and Skills Act 2000, in respect of transport to and from those institutions.".

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

Amendment of the Education (School Information)(Wales) Regulations 1999

9.-(1) The Education (School Information) (Wales) Regulations 1999(**a**) are amended as follows.

(2) In regulation 6(9) for the words "a further education funding council" substitute the words "the National Council for Education and Training for Wales".

(3) Omit paragraph 20 of Schedule 1 (General information to be published by authorities, Part II - special educational provision) and substitute the following -

"**20.** The authority's arrangements and policies for persons with learning difficulties who are over compulsory school age but have not attained the age of nineteen years and who attend any institution outside the higher education sector where the National Council for Education and Training for Wales has secured provision under section 31 of the Learning and Skills Act 2000, in respect of transport to and from those institutions.".

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

15 Tachwedd 2001

15th November 2001

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

(a) O.S. 1999/1812.

(b) 1998 p.38.

(a) S.I. 1999/1812.

(b) 1998 c.38.

YR ATODLEN (**a**)

1. Adrannau 347(2), 509(6), 527A(4) a 569(4) o Ddeddf Addysg 1996(**b**).

2. Adran 21(3)(c) o Ddeddf Arolygu Ysgolion 1996(**c**) a pharagraff 6 o Atodlen 3 iddi.

3. Adran 39(3) o Ddeddf Addysg 1997(**ch**).

4. Adrannau 26, 31(7) a 138(7) o Ddeddf Safonau a Fframwaith Ysgolion 1998(**d**).

(a) Cafodd yr holl bwerau a restrir yn yr Atodlen eu rhoi i'r Ysgrifennydd Gwladol, a chafodd pob un o'r pwerau hyn mewn perthynas â Chymru eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) 1996 p.56. Amnewidiwyd adran 509(6) gan Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31), Atodlen 30, paragraffau 57 a 133. Mewnosodwyd adran 527(A) gan Ddeddf Addysg 1997, adran 9.

(c) 1996 p.57.

(ch) 1997 p.44.

(d) 1998 p.31. Diwygiwyd adran 26 gan Ddeddf Dysgu a Medrau 2000 (p.21), Atodlen 9, paragraff 80.

SCHEDULE(**a**)

1. Sections 347(2), 509(6), 527A(4) and 569(4) of the Education Act 1996(**b**).

2. Section 21(3)(c) of, and paragraph 6 of Schedule 3 to, the School Inspections Act 1996(**c**).

3. Section 39(3) of the Education Act 1997(**d**).

4. Sections 26, 31(7) and 138(7) of the School Standards and Framework Act 1998(**e**).

(a) All the powers listed in the Schedule were conferred on the Secretary of State, and all those powers in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) 1996 c.56. Section 509(6) was substituted by the School Standards and Framework Act 1998 (c.31), Schedule 30, paragraphs 57 and 133. Section 527(A) was inserted by the Education Act 1997, section 9.

(c) 1996 c.57.

(d) 1997 c.44.

(e) 1998 c.31. Section 26 was amended by the Learning and Skills Act 2000 (c.21), Schedule 9, paragraph 80.

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