CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 1663 (Cy.158)

ADDYSG, CYMRU

Rheoliadau Cymwysterau Athrawon Addysg Bellach (Cymru) 2002

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gosod gofynion ar bersonau penodol a gyflogir yn athrawon mewn sefydliadau yn y sector addysg bellach i feddu ar gymwysterau. Bydd y gofynion yn gymwys i athrawon sy'n bodloni'r diffiniad o "athro neu athrawes berthnasol" yn rheoliad 2 ac a gyflogir mewn sefydliadau yn y sector addysg bellach ar ôl 1 Gorffennaf 2002 os nad ydynt wedi addysgu mewn ysgolion a gynhelir neu sefydliadau addysg bellach a ariennir yn gyhoeddus o'r blaen (rheoliad 3(1)). Yn rhinwedd adran 218(13) o Ddeddf Diwygio Addysg 1988 bydd y Rheoliadau yn gymwys i bersonau a gymerir ymlaen i ddarparu gwasanaethau fel athrawon ond sydd heb gontract cyflogaeth, yn ogystal â'r personau hynny a gyflogir o dan gontract cyflogaeth.

Mae rheoliadau 3(2), (3) a (4) a 4 yn darparu ar gyfer lefelau o gymwsyterau ac ar gyfer y cyfnodau y mae rhaid cael y cymwysterau ynddynt.

Mae'r Rheoliadau hefyd yn gwneud diwygiad canlyniadol i Reoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999.

Pennir y safonau ar gyfer rhai o'r cymhwysterau y cyfeirir atynt yn y Rheoliadau gan Gynulliad Cenedlaethol Cymru. Gellir cael copïau o'r safonau hynny oddi wrth Sefydliad Hyfforddiant Cenedlaethol Addysg Bellach (Cymru), Canolfan Quadrant, Parc Busnes Caerdydd, Llanisien, Caerdydd, CF14 5WF.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2002 No. 1663 (W.158)

EDUCATION, WALES

Further Education Teachers' Qualifications (Wales) Regulations 2002

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose requirements on certain persons employed as teachers in institutions in the further education sector to have qualifications. The requirements will apply to teachers who satisfy the definition of "relevant teacher" in regulation 2 employed in institutions in the further education sector after 1st July 2002 if they have not previously taught in maintained schools or publicly funded further education institutions (regulation 3(1)). By virtue of section 218(13) of the Education Reform Act 1988 the Regulations will apply to persons engaged to provide services as teachers but who do not have contracts of employment, as well as to those employed under contracts of employment.

Regulations 3(2), (3) and (4) and 4 provide for the levels of qualifications and for the periods within which the qualifications must be obtained.

The Regulations also make a consequential amendment to the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999.

The standards for certain of the qualifications referred to in the Regulations are specified by the National Assembly for Wales. Copies of those standards may be obtained from The Further Education National Training Organisation (Wales), Quadrant Centre, Cardiff Business Park, Llanishen, Cardiff, CF14 5WF.

OFFERYNNAU STATUDOL

2002 Rhif 1663 (Cy.158)

ADDYSG, CYMRU

Rheoliadau Cymwysterau Athrawon Addysg Bellach (Cymru) 2002

Wedi'u gwneud *25 Mehefin 2002*

Yn dod i rym *1 Gorffennaf 2002*

Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 218(1)(b) a (10)(aa) a 232(5) a (6) o Ddeddf Diwygio Addysg 1988(**a**), ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(**b**), mae'r Cynulliad Cenedlaethol yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Cymwysterau Athrawon Addysg Bellach (Cymru) 2002 a deuant i rym ar 1 Gorffennaf 2002.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Dehongli

2. Yn y Rheoliadau hyn -

ystyr "athro neu athrawes berthnasol" ("*relevant teacher*") yw person a gyflogir yn athro neu'n athrawes (pa un a ddisgrifir y swydd y cyflogir y person ynddi yn swydd addysgu ai peidio) mewn sefydliad o fewn y sector addysg bellach ac eithrio -

(a) person a gyflogir i addysgu cyrsiau addysg uwch yn unig, a

(b) person nad addysgu yw ei brif alwedigaeth neu broffesiwn ac a gyflogir gan y coleg ar sail dros dro neu achlysurol i ddarparu'r wybodaeth

(a) 1988 p.40; mewnosodwyd adran 218(10)(aa) gan adran 93 o Ddeddf Addysg Bellach ac Uwch 1992 (p. 13) a pharagraff 49(c) o Atodlen 8 iddi.

(b) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adran hon i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

STATUTORY INSTRUMENTS

2002 No. 1663 (W.158)

EDUCATION, WALES

Further Education Teachers' Qualifications (Wales) Regulations 2002

Made *25th June 2002*

Coming into force *1st July 2002*

In exercise of the powers conferred on the Secretary of State by sections 218(1)(b) and (10)(aa) and 232(5) and (6) of the Education Reform Act 1988(**a**) and now vested in the National Assembly for Wales(**b**), the National Assembly for Wales makes the following Regulations:

Citation, commencement and application

1.-(1) These Regulations are called the Further Education Teachers' Qualifications (Wales) Regulations 2002 and shall come into force on 1st July 2002.

(2) These Regulations apply only to Wales.

Interpretation

2. In these Regulations -

"Certificate of Education" ("*Tystysgrif Addysg*") means a qualification known by that name awarded prior to 1st August 2002 by an institution within the higher education sector;

"institution within the further education sector" ("*sefydliad o fewn y sector addysg bellach*") means an institution within the meaning of section 91(3) of the Further and Higher Education Act 1992(**c**);

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales;

(a) 1988 c.40; section 218(10)(aa) was inserted by section 93 of, and paragraph 49(c) of Schedule 8 to, the Further and Higher Education Act 1992 (c.13).

(b) The functions of the Secretary of State under this section were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) 1992 c.13.

ddiweddaraf ar arferion diwydiannol, masnachol neu broffesiynol cyfredol;

ystyr "cymhwyster addysgu AB cam 3" ("*stage 3 FE teaching qualification*") yw cymhwyster y pennir ei safonau gan y Cynulliad Cenedlaethol at ddiben y Rheoliadau hyn;

ystyr "cymhwyster addysgu AB cam 2" ("*stage 2 FE teaching qualification*") yw cam canol y cymhwyster addysgu AB cam 3 y pennir ei safonau gan y Cynulliad Cenedlaethol at ddiben y Rheoliadau hyn;

ystyr "cymhwyster addysgu AB cam 1" ("*stage 1 FE teaching qualification*") yw cam rhagarweiniol y cymhwyster addysgu AB cam 3 y pennir ei safonau gan y Cynulliad Cenedlaethol at ddiben y Rheoliadau hyn;

ystyr "cymhwyster Rheoliadau 1999" ("*1999 Regulations qualification*") yw cymhwyster sy'n rhoi i berson statws athro neu athrawes gymwysedig o fewn ystyr rheoliad 10 o Reoliadau 1999;

ysytyr "y Cynulliad Cenedlaethol" ("*the National Assembly*") yw Cynulliad Cenedlaethol Cymru;

ystyr "Rheoliadau 1999" ("*the 1999 Regulation*s") yw Rheoliadau Addysg (Cymwysterau Athrawon a Safonau Iechyd) (Cymru) 1999(**a**);

ystyr "sefydliad o fewn y sector addysg bellach" ("*institution within the further education sector*") yw sefydliad o fewn ystyr "*institutions within the further education sector*" yn adran 91(3) o Ddeddf Addysg Bellach ac Uwch 1992(**b**);

ystyr "swydd cam 3" ("*stage 3 post*") yw swydd addysgu y mae cymhwyster addysgu AB cam 3, ym marn y sefydliad o fewn y sector addysg bellach sy'n cyflogi'r athro neu'r athrawes, yn gymhwyster addas ar ei chyfer;

ystyr "swydd cam 2" ("*stage 2 post*") yw swydd addysgu rhan-amser y mae cymhwyster addysgu AB cam 2, ym marn y sefydliad o fewn y sector addysg bellach sy'n cyflogi'r athro neu'r athrawes, yn gymhwyster addas ar ei chyfer;

ystyr "swydd cam 1" ("*stage 1 post*") yw swydd addysgu rhan-amser y mae cymhwyster addysgu AB cam 1, ym marn y sefydliad o fewn y sector addysg bellach sy'n cyflogi'r athro neu'r athrawes, yn gymhwyster addas ar ei chyfer;

ystyr "Tystysgrif Addysg" ("*Certificate of Education*") yw cymhwyster o'r enw hwnnw ac a ddyfarnwyd cyn 1 Awst 2002 gan sefydliad yn y sector addysg uwch.

(a) O.S. 1999/2817 (Cy. 18).

(b) 1992 p.13.

"relevant teacher" ("*athro neu athrawes berthnasol*") means a person employed as a teacher (whether or not the post in which the person is employed is described as a teaching post) in an institution within the further education sector other than -

(a) a person who is employed to teach courses of higher education only, and

(b) a person whose primary occupation or profession is not teaching and who is employed by the college on a temporary or occasional basis to provide updating on current industrial, commercial or professional practice;

"stage 3 FE teaching qualification" ("*cymhwyster addysgu AB cam 3*") means a qualification the standards for which are specified by the National Assembly for the purpose of these Regulations;

"stage 2 FE teaching qualification" ("*cymhwyster addysgu AB cam 2*") means the intermediate stage of the stage 3 FE teaching qualification the standards for which are specified by the National Assembly for the purpose of these Regulations;

"stage 1 FE teaching qualification" ("*cymhwyster addysgu AB cam 1*") means the introductory stage of the stage 3 FE teaching qualification the standards for which are specified by the National Assembly for the purpose of these Regulations;

"stage 3 post" ("*swydd cam 3*") means a teaching post for which a stage 3 FE teaching qualification is, in the opinion of the institution within the further education sector which employs the teacher, an appropriate qualification;

"stage 2 post" ("*swydd cam 2*") means a part-time teaching post for which a stage 2 FE teaching qualification is, in the opinion of the institution within the further education sector which employs the teacher, an appropriate qualification;

"stage 1 post" ("*swydd cam 1*") means a part-time teaching post for which a stage 1 FE teaching qualification is, in the opinion of the institution within the further education sector which employs the teacher, an appropriate qualification;

"the 1999 Regulations" ("*Rheoliadau 1999*") means the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999(**a**);

"1999 Regulations qualification" ("*cymhwyster Rheoliadau 1999*") means a qualification that confers upon a person the status of a qualified teacher within the meaning of regulation 10 of the 1999 Regulations.

(a) S.I. 1999/2817 (W.18).

Athrawon perthnasol i feddu ar gymwysterau

3. -(1) Mae'r rheoliad hwn yn gymwys i bob person sy'n mynd yn athro neu athrawes berthnasol ar neu wedi 1 Gorffennaf 2002 mewn sefydliad o fewn y sector addysg bellach yng Nghymru ac na fu ar unrhyw adeg cyn y dyddiad hwnnw yn -

(a) athro neu athrawes berthnasol (mewn sefydliad o fewn y sector addysg bellach yng Nghymru neu Loegr);

(b) athro neu athrawes -

(i) yng Nghymru neu Loegr, mewn ysgol a gynhelir gan yr awdurdod addysg leol, coleg technoleg dinasol, coleg dinasol ar gyfer technoleg y celfyddydau neu academi ddinasol neu, cyn 1 Medi 1999, ysgol a gynhelid â grant neu ysgol arbennig a gynhelid â grant;

(ii) yn yr Alban, ysgol a gynorthwyir â grant neu ysgol a gynhelir gan awdurdod addysg;

(iii) yng Ngogledd Iwerddon, ysgol a reolir o dan awdurdod bwrdd addysg a llyfrgelloedd lleol, ysgol a gynhelir, ysgol integredig a gynhelir â grant neu ysgol ramadeg wirfoddol;

(c) athro neu athrawes mewn sefydliad (yng Nghymru neu Loegr) a oedd, cyn 1 Ebrill 2001 yn sefydliad allanol o fewn ystyr "*external institution*" yn adran 6(5) o Ddeddf Addysg Bellach ac Uwch 1992(**a**);

(ch) athro neu athrawes -

(i) yn yr Alban, mewn coleg addysg bellach,

(ii) yng Ngogledd Iwerddon, mewn sefydliad addysg bellach o fewn ystyr "*institution of further education*" yng Ngorchymyn Addysg Bellach (Gogledd Iwerddon) 1997(**b**);

(d) athro neu athrawes mewn sefydliad yn yr Ardal Economaidd Ewropeaidd, Ynysoedd y Sianel neu Ynys Manaw sy'n darparu addysg sy'n gyfwerth ag addysg uwchradd neu addysg bellach ac sy'n rhan o system gyhoeddus addysg y wladwriaeth neu'r diriogaeth dan sylw.

(2) Rhaid i bob athro neu athrawes berthnasol y mae'r rheoliad hwn yn gymwys iddo neu iddi ac sydd ar unrhyw adeg yn cael ei gyflogi neu ei chyflogi yn llawnamser, erbyn y dyddiad a benderfynir yn unol â rheoliad 4(1) (os digwydd), ddal -

(a) 1992 p.13; diddymwyd adran 6(5) gan adrannau 149 a 153 o Ddeddf Dysgu a Medrau 2000 (p.21) a pharagraffau 1 a 20 o Atodlen 9 ac Atodlen 11 iddi.

(b) O.S. 1997/1772 (G.I. 15).

Relevant teachers to have qualifications

3.-(1) This regulation applies to every person who becomes a relevant teacher on or after 1st July 2002 at an institution within the further education sector in Wales who has not at any time before that date been -

(a) a relevant teacher (at an institution within the further education sector in England or Wales);

(b) a teacher at -

(i) in England or Wales, a school maintained by a local education authority, a city technology college, a city college for the technology of the arts or city academy or, before 1st September 1999, a grant-maintained or grant-maintained special school;

(ii) in Scotland, a grant aided school or school maintained by an education authority;

(iii) in Northern Ireland, a controlled school under the authority of a local education and library board, a maintained school, a grant-maintained integrated school or a voluntary grammar school;

(c) a teacher at an institution (in England or Wales) which, before 1st April 2001 was an external institution within the meaning of section 6(5) of the Further and Higher Education Act 1992(**a**);

(d) a teacher at -

(i) in Scotland, a college of further education,

(ii) in Northern Ireland, an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997(**b**);

(e) a teacher at an institution in the European Economic Area, the Channel Islands or the Isle of Man providing education which is equivalent to secondary or further education and which is part of the public system of education of the state or territory in question.

(2) Every relevant teacher to whom this regulation applies who at any time is employed full-time must, before the date determined in accordance with regulation 4(1) (if it occurs), hold -

(a) 1992 c.13; Section 6(5) was repealed by Sections 149 and 153 of, and paragraphs 1 and 20 of Schedule 9 and Schedule 11 to the Learning and Skills Act 2000 (c.21).

(b) S.I. 1997/1772 (N.I. 15).

(a) cymhwyster Rheoliadau 1999 neu awdurdodiad i addysgu yn unol â Rhan II neu Ran III o Atodlen 2 i Reoliadau 1999;

(b) Tystysgrif Addysg;

(c) cymhwyster addysgu AB cam 3; neu

(ch) cymhwyster cyfwerth â chymhwyster addysgu AB cam 3.

(3) Rhaid i bob athro neu athrawes berthnasol y mae'r rheoliad hwn yn gymwys iddo neu iddi a gyflogir ar unrhyw adeg yn rhan-amser o dan gontract i weithio am gyfran benodol o'r cyfnod y cyflogir athro neu athrawes lawnmamser i weithio ynddo, erbyn y dyddiad a benderfynir yn unol â rheoliad 4(1) (os digwydd), ddal -

(a) cymhwyster Rheoliadau 1999 neu awdurdodiad i addysgu yn unol â Rhan II neu Ran III o Atodlen 2 i Reoliadau 1999;

(b) Tystysgrif Addysg;

(c) cymhwyster addysgu AB cam 3; neu

(ch) cymhwyster cyfwerth â chymhwyster addysgu AB cam 3.

(4) Rhaid i bob athro neu athrawes berthnasol y mae'r rheoliad hwn yn gymwys iddo neu iddi ac a gyflogir ar unrhyw adeg yn rhan-amser ac nad yw'n dod o fewn paragraff (3), cyn y dyddiad a benderfynir yn unol â rheoliad 4(2) (os digwydd), ddal -

(a) cymhwyster Rheoliadau 1999 neu awdurdodiad i addysgu yn unol â Rhan II neu Ran III o Atodlen 2 i Reoliadau 1999;

(b) Tystysgrif Addysg;

(c) cymhwyster addysgu AB cam 1, cam 2 neu gam 3 (gan ddibynnu pa un ai mewn swydd cam 1, swydd cam 2 neu swydd cam 3 y cyflogir yr athro neu'r athrawes); neu

(ch) cymhwyster cyfwerth â chymhwyster addysgu AB cam 1, cam 2 neu gam 3 (gan ddibynnu pa un ai mewn swydd cam 1, cam 2 neu gam 3 y cyflogir yr athro neu'r athrawes).

(5) At ddibenion y rheoliad hwn -

(a) mae cymhwyster yn gyfwerth â chymhwyster addysgu AB cam 1, cam 2 neu gam 3, os ymddengys i'r Cynulliad Cenedlaethol ei fod o safon cywerth â, neu o safon uwch na, y cymhwysterau hynny ac os pennir ef gan y Cynulliad Cenedlaethol at ddibenion y Rheoliadau hyn; a

(b) caiff person sy'n dal cymhwyster addysgu AB cam 3 ei drin fel petai hefyd yn dal cymhwyster addysgu AB cam 2 a

(a) a 1999 Regulations qualification or an authorisation to teach in accordance with Part II or Part III of Schedule 2 to the 1999 Regulations;

(b) a Certificate of Education;

(c) a stage 3 FE teaching qualification; or

(d) a qualification equivalent to a stage 3 FE teaching qualification.

(3) Every relevant teacher to whom this regulation applies who at any time is employed part-time under a contract to work for a specified proportion of the period for which a full-time teacher is employed to work must, before the date determined in accordance with regulation 4(1) (if it occurs), hold -

(a) a 1999 Regulations qualification or an authorisation to teach in accordance with Part II or Part III of Schedule 2 to the 1999 Regulations;

(b) a Certificate of Education;

(c) a stage 3 FE teaching qualification; or

(d) a qualification equivalent to a stage 3 FE teaching qualification.

(4) Every relevant teacher to whom this regulation applies who is at any time employed part-time and who does not fall within paragraph (3) must, before the date determined in accordance with regulation 4(2) (if it occurs), hold -

(a) a 1999 Regulations qualification or an authorisation to teach in accordance with Part II or Part III of Schedule 2 to the 1999 Regulations;

(b) a Certificate of Education;

(c) a stage 1, stage 2 or stage 3 FE teaching qualification (depending on whether the teacher is employed in a stage 1, stage 2 or stage 3 post); or

(d) an equivalent qualification to a stage 1, stage 2 or stage 3 FE teaching qualification (depending on whether the teacher is employed in a stage 1, stage 2 or stage 3 post).

(5) For the purposes of this regulation -

(a) a qualification is equivalent to a stage 1, stage 2 or stage 3 FE teaching qualification, if it appears to the National Assembly to be of equivalent standard to, or higher standard than, those qualifications and if it is specified by the National Assembly for the purpose of these Regulations; and

(b) a person who holds a stage 3 FE teaching qualification is to be treated as also holding a stage 2 FE teaching

chaiff person sy'n dal, neu sy'n cael ei drin fel petai'n dal, cymhwyster addysgu AB cam 2 ei drin fel petai hefyd yn dal cymhwyster cam 1.

Dyddiadau y cyfeirir atynt yn rheoliad 3

4. -(1) Y dyddiad y cyfeirir ato yn rheoliad 3(2) a (3) yw'r dyddiad y mae'r athro neu'r athrawes wedi ei gyflogi neu ei chyflogi yn llawnamser, neu'n rhan-amser arno o dan gontract fel a grybwyllir yn rheoliad 3(3), am gyfnod o, neu am gyfnodau ysbeidiol y mae eu cyfanswm yn dod yn -

(a) ddwy flynedd o'r dyddiad y dechreuodd y cwrs perthnasol arno, os cyflogir yr athro neu'r athrawes yn llawnamser; a

(b) pedair blynedd o'r dyddiad y dechreuodd y cwrs perthnasol arno, os cyflogir yr athro neu'r athrawes yn rhan-amser.

(2) Y dyddiad y cyfeirir ato yn rheoliad 3(4) yw -

(a) os cyflogir yr athro neu'r athrawes mewn swydd cam 1, y dyddiad y cyflogwyd yr athro neu'r athrawes arno am gyfnod o, neu gyfnodau ysbeidiol y mae eu cyfanswm yn dod yn, ddwy flynedd o'r dyddiad y dechreuodd y cwrs perthnasol arno;

(b) os cyflogir yr athro neu'r athrawes mewn swydd cam 2, y dyddiad y cyflogwyd yr athro neu'r athrawes arno mewn swydd cam 2 neu swydd cam 3 am gyfnod o, neu gyfnodau ysbeidiol y mae eu cyfanswm yn dod yn, bedair blynedd o'r dyddiad y dechreuodd y cwrs perthnasol arno;

(c) os cyflogir yr athro neu'r athrawes mewn swydd cam 3, y dyddiad y cyflogwyd yr athro neu'r athrawes arno mewn swydd cam 3 am gyfnod o, neu gyfnodau ysbeidiol y mae eu cyfanswm yn dod yn, bedair blynedd o'r dyddiad y dechreuodd y cwrs perthnasol arno.

(3) Y "cwrs perthnasol" y cyfeirir ato ym mharagraff (1) a (2) yw -

(a) at ddibenion paragraff (1), y cwrs cyntaf sy'n arwain at gymhwyster addysgu AB cam 3 y gallai fod yn rhesymol i'r athro neu'r athrawes ei fynychu, gan ddechrau ar ôl i'r athro neu'r athrawes fynd yn athro neu'n athrawes berthnasol gyntaf a chael ei gyflogi neu ei chyflogi yn llawnamser, neu'n rhan-amser o dan gontract fel a grybwyllir yn rheoliad 3(3);

(b) at ddibenion paragraff (2)(a), y cwrs cyntaf sy'n arwain at gymhwyster addysgu AB cam 1 y gallai fod yn rhesymol i athro neu athrawes ei fynychu, gan ddechrau ar ôl i'r athro neu'r athrawes fynd yn athro neu athrawes berthnasol;

qualification and a person who holds, or is to be treated as holding, a stage 2 FE teaching qualification is to be treated as also holding a stage 1 qualification.

Dates referred to in regulation 3

4.-(1) The date referred to in regulation 3(2) and (3) is the date on which the teacher has been employed full-time, or part-time under a contract such as is mentioned in regulation 3(3) for a period of, or for discontinuous periods which when added together amount to -

(a) two years from the date on which the relevant course started, where the teacher is employed full-time; and

(b) four years from the date on which the relevant course started, where the teacher is employed part-time.

(2) The date referred to in regulation 3(4) is -

(a) where the teacher is employed in a stage 1 post, the date on which the teacher has been employed for a period of, or for discontinuous periods which when added together amount to, two years from the date on which the relevant course started;

(b) where the teacher is employed in a stage 2 post, the date on which the teacher has been employed in a stage 2 or stage 3 post for a period of, or for discontinuous periods which when added together amount to, four years from the date on which the relevant course started;

(c) where the teacher is employed in a stage 3 post, the date on which the teacher has been employed in a stage 3 post for a period of, or for discontinuous periods which when added together amount to, four years from the date on which the relevant course started.

(3) The "relevant course" referred to in paragraphs (1) and (2) is -

(a) for the purposes of paragraph (1), the first course leading to a stage 3 FE teaching qualification which the teacher might reasonably attend, starting after the teacher first becomes a relevant teacher employed full-time, or employed part-time under a contract such as is mentioned in regulation 3(3);

(b) for the purpose of paragraph (2)(a), the first course leading to a stage 1 FE teaching qualification which the teacher might reasonably attend, starting after the teacher first becomes a relevant teacher;

(c) at ddibenion paragraff (2)(b), y cwrs cyntaf sy'n arwain at gymhwyster addysgu AB cam 2 y gallai fod yn rhesymol i'r athro neu i'r athrawes ei fynychu, gan ddechrau ar ôl i'r athro neu'r athrawes ddechrau ar swydd cam 2 neu swydd cam 3 am y tro cyntaf; a

(ch) at ddibenion paragraff (2)(c), y cwrs cyntaf sy'n arwain at gymhwyster addysgu AB cam 3 y gall fod yn rheysmol i athro neu athrawes ei fynychu, gan ddechrau ar ôl i'r athro neu'r athrawes ddechrau ar swydd cam 3 am y tro cyntaf.

(4) Wrth gyfrif y cyfnodau y cyfeirir atynt ym mharagraffau (1) i (3) ni chyfrifir y cyfnodau canlynol -

(a) unrhyw gyfnodau pryd mae'r athro neu'r athrawes yn absennol oherwydd salwch, seibiant mamolaeth neu seibiant rhieiniol ; a

(b) unrhyw gyfnodau eraill y mae o dan yr holl amgylchiadau yn rhesymol i'w gadael allan o'r cyfrif.

Diwygio Rheoliadau 1999

5. Diwygir Rheoliad 4 o Reoliadau 1999 fel a ganlyn -

(a) ym mharagraff (2)(b) ar ôl "sefydliad addysg bellach" mewnosodir "a gynhelir gan awdurdod addysg lleol"; a

(b) am baragraff (3) amnewidir -

"(3) Mae'r gofynaid ym mharagraff (1) yn ychwanegol at y gofynion sy'n ymwneud â chymwysterau ar gyfer cyflogaeth mewn ysgolion a sefydliadau o fewn y sector addysg bellach a gynhwysir yn Rhan IV o'r Rheoliadau hyn a Rheoliadau Cymwysterau Athrawon Addysg Bellach (Cymru) 2002 yn y drefn honno.".

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

25 Mehefin 2002

Llywydd y Cynulliad Cenedlaethol

(a) 1998 p.38.

(c) for the purposes of paragraph (2)(b), the first course leading to a stage 2 FE teaching qualification which the teacher might reasonably attend, starting after the teacher takes up a stage 2 or stage 3 post for the first time; and

(d) for the purpose of paragraph (2)(c), the first course leading to a stage 3 FE teaching qualification which the teacher might reasonably attend, starting after the teacher takes up a stage 3 post for the first time.

(4) In computing the periods referred to in paragraphs (1) to (3) the following periods are not to be taken into account -

(a) any periods during which the teacher is on sick leave, maternity leave or parental leave; and

(b) any other periods which in all the circumstances it is reasonable to leave out of account.

Amendment of the 1999 Regulations

5. Regulation 4 of the 1999 Regulations is amended as follows -

(a) in paragraph (2)(b) after "further education institution" there is inserted "maintained by a local education authority"; and

(b) for paragraph (3) there is substituted -

"(3) The requirement in paragraph (1) is additional to the requirements relating to qualifications for employment at schools and institutions within the further education sector contained in Part IV of these Regulations and the Further Education Teachers' Qualifications (Wales) Regulations 2002 respectively.".

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

25th June 2002

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) 1998 c.38.

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Rheoliadau Cymwysterau Athrawon Addysg Bellach (Cymru) 2002

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EDUCATION, WALES

Further Education Teachers' Qualifications (Wales) Regulations 2002

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