CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 140 (Cy.12)

ADDYSG, CYMRU

Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Diwygio) (Cymru) 2003

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999 er mwyn galluogi Cyngor Addysgu Cyffredinol Cymru i benderfynu a yw categorïau penodol o bersonau yn athrawon cymwysedig. Mae'r rhain yn cynnwys person sydd wedi cwblhau cwrs hyfforddiant cychwynnol i athrawon yng Nghymru, yr Alban neu yng Ngogledd Iwerddon; person sydd yn cael ei adnabod fel athro neu athrawes yng Ngogledd Iwerddon; person sydd wedi ei gofrestru gyda Chyngor Addysgu Cyffredinol yr Alban; athro neu athrawes ysgol o Ardal Economaidd Ewrop; a pherson sydd wedi ei argymell ar gyfer statws athro neu athrawes gymwysedig gan Gyngor Addysg Taleithiau Guernsey.

Mae'r Rheoliadau hyn hefyd yn gwneud diwygiad canlyniadol i'r diffiniad o "athro neu athrawes gymwysedig" yn Rheoliadau Cymhellion Hyfforddi Athrawon (Cymru) 2000.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 140 (W.12)

EDUCATION, WALES

The Education (Teachers' Qualifications and Health Standards) (Amendment) (Wales) Regulations 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 so as to enable the General Teaching Council for Wales to determine whether certain categories of persons are qualified teachers. These include a person who has completed a course of initial training for teachers in Wales, Scotland or Northern Ireland; a person who has been recognised as a teacher in Northern Ireland; a person who is registered with the General Teaching Council for Scotland; a school teacher from the European Economic Area; and a person who has been recommended for qualified teacher status by the States of Guernsey Education Council.

These Regulations also make a consequential amendment to the definition of "qualified teacher" in the Teacher Training Incentive (Wales) Regulations 2000.

OFFERYNNAU STATUDOL

2003 Rhif 140 (Cy.12)

ADDYSG, CYMRU

Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Diwygio) (Cymru) 2003

Wedi'u gwneud	*28 Ionawr 2003*
Yn dod i rym	*1 Mawrth 2003*

Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 218(1)(a), (2), 232(5) a (6) o Ddeddf Diwygio Addysg 1988(**a**), ac adran 10(1) a (2) o Ddeddf Addysgu ac Addysg Uwch 1998(**b**) sydd bellach wedi eu breinio yng Nghynulliad Cenedlaethol Cymru(**c**), mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol:

Enw, cychwyn a chymhwyso

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Diwygio) (Cymru) 2003 a deuant i rym ar 1 Mawrth 2003.

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

Diwygio Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999

2. Mae Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999(**ch**) yn cael eu diwygio fel a ganlyn:-

(a) Yn rheoliad 3(2) ar ôl y diffiniad o "cwmni" mewnosodwch -

"ystyr "y Cyngor" ("*the Council*") yw Cyngor Addysgu Cyffredinol Cymru;".

(b) Yn Rhan I o Atodlen 3 -

(i) mewnosodwch ar ôl paragraff 1 (1)(b) -

(a) 1988 p.40. Diwygiwyd adran 232(6) gan adran 14 o Ddeddf Addysg 1994 a pharagraff 6 o Atodlen 3 ac Atodlen 4 i Ddeddf Addysgu ac Addysg Uwch 1998 (p. 30).

(b) 1998 p.30.

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

(ch) O.S 1999/2817 (Cy.18) fel y'i diwygiwyd gan O.S. 2002/2938(Cy.279).

STATUTORY INSTRUMENTS

2003 No. 140 (W.12)

EDUCATION, WALES

The Education (Teachers' Qualifications and Health Standards) (Amendment) (Wales) Regulations 2003

Made	*28th January 2003*
Coming into force	*1st March 2003*

In exercise of the powers conferred on the Secretary of State by sections 218(1)(a), (2), 232(5) and (6) of the Education Reform Act 1988(**a**) and section 10(1) and (2) of the Teaching and Higher Education Act 1998(**b**) and now vested in the National Assembly for Wales(**c**), the National Assembly for Wales makes the following Regulations:

Name, commencement and application

1.-(1) These Regulations are called the Education (Teachers' Qualifications and Health Standards) (Amendment) (Wales) Regulations 2003 and shall come into force on 1st March 2003.

(2) These regulations apply to Wales.

Amendment of the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999

2. The Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999(**d**) are amended as follows:-

(a) In regulation 3(2) insert after the definition of "company" -

" "the Council" ("*y Cyngor*") means the General Teaching Council for Wales;".

(b) In Part I of Schedule 3 -

(i) insert after paragraph 1(1)(b):-

(a) 1988 c.40. Section 232(6) was amended by section 14 of the Education Act 1994 and paragraph 6 of Schedule 3 and Schedule 4 to the Teaching and Higher Education Act 1998 (c. 30).

(b) 1998 c.30.

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

(d) S.I. 1999/2817 (W.18) as amended by S.I. 2002/2938(W279).

"(ba) os yw wedi cael hysbysiad ysgrifenedig gan y Cyngor ei fod yn athro neu athrawes gymwysedig, gan fod y Cyngor wedi'i fodloni ar 1 Medi 2003 neu wedyn ei fod yn berson a grybwyllir ym mharagraffau 2 i 6 neu 8 ac, os yw'n berson a grybwyllir ym mharagraff 8 fod y datganiad a gyflwynwyd gan Gyngor Addysg Taleithiau Guernsey yn gywir; neu";

(ii) ym mharagraff 1(1) ar ôl y geiriau "o dan baragraff (b)" mewnosodwch y geiriau "neu (ba)", ac ar ôl y geiriau "o'r dyddiad y bydd y Cynulliad" mewnosodwch y geiriau "neu'r Cyngor";

(iii) mewnosodwch ar ôl paragraff 1(2) -

"(2A) Yn ddarostyngedig i is-baragraff (4), gall y Cyngor ddarparu i berson a grybwyllir ym mharagraffau 2 i 6 neu 8 fod yn athro neu athrawes gymwysedig o ddyddiad nad yw'n fwy na blwyddyn cyn yr hysbysiad i'r graddau bod hynny'n briodol gan roi sylw i holl amgylchiadau'r achos."; a

(iv) ym mharagraff 1(4) yn lle'r geiriau "ni fydd y Cynulliad yn darparu" rhowch y geiriau "ni fydd naill ai'r Cynulliad na'r Cyngor yn darparu".

"(ba) if, the Council being satisfied on or after 1st September 2003 that he or she is a person mentioned in paragraphs 2 to 6 or 8 and, if he or she is a person mentioned in paragraph 8 that the statement submitted by the States of Guernsey Education Council is correct, he or she has received written notification from the Council that he or she is a qualified teacher; or";

(ii) insert in paragraph 1(1) after the words "under paragraph (b)" the words "or (ba)", and after the words "from such date as the Assembly" the words "or the Council";

(iii) insert after paragraph 1(2) -

"(2A) Subject to sub-paragraph (4), the Council may provide for a person mentioned in paragraphs 2 to 6 or 8 to be a qualified teacher from a date not more than one year prior to the date of notification to the extent that that is appropriate having regard to all the circumstances of the case.";

(iv) in paragraph 1(4) for the words " the Assembly shall not provide " substitute the words "neither the Assembly nor the Council shall provide ".

Diwygio Rheoliadau Cymhellion Hyfforddi Athrawon (Cymru) 2000

3. Mae Rheoliadau Cymhellion Hyfforddi Athrawon (Cymru) 2000(**a**) yn cael eu diwygio trwy roi yn lle'r diffiniad o "athro neu athrawes gymwysedig" yn rheoliad 2 y diffiniad canlynol -

mae i "athro neu athrawes gymwysedig" yr un ystyr ag sydd i "*qualified teacher*" yn adran 218(2) o Ddeddf Diwygio Addysg 1988;".

Amendment of the Teacher Training Incentive (Wales) Regulations 2000

3. The Teacher Training Incentive (Wales) Regulations 2000(**a**) are amended by substituting for the definition of "qualified teacher" in regulation 2, the following definition -

""qualified teacher" ("*athro neu athrawes gymwysedig*") has the same meaning as in section 218(2) of the Education Reform Act 1988.".

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

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

28 Ionawr 2003

28th January 2003

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) O.S. 2000/ 2560 (Cy. 169).

(b) 1998 p.38

(a) S.I. 2000/2560 (W.169).

(b) 1998 c.38.

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Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Diwygio) (Cymru) 2003

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