CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 2532 (Cy.247) (C.94)

ADDYSG, CYMRU

Gorchymyn Deddf Anghenion Addysgol Arbennig ac Anabledd 2001 (Cychwyn Rhif 2) (Cymru) 2003

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dwyn i rym yng Nghymru ar 8 Hydref 2003 weddill darpariaethau Deddf Anghenion Addysgol Arbennig ac Anabledd 2001 nad ydynt mewn grym yng Nghymru ar ddyddiad y Gorchymyn hwn, fel na fydd angen Gorchymyn pellach mewn perthynas â Chymru.

Mae'r darpariaethau sy'n cael eu dwyn i rym yn galluogi Cynulliad Cenedlaethol Cymru i wneud rheoliadau a chyhoeddi canllawiau mewn perthynas â strategaethau a chynlluniau hygyrchedd, o dan ddarpariaethau Rhan 2 o'r Ddeddf (gwahaniaethu ar sail anabledd mewn addysg).

Mae'r darpariaethau hefyd yn galluogi Cynulliad Cenedlaethol Cymru i roi cyfarwyddiadau i awdurdodau addysg lleol ynghylch cyflawni eu dyletswyddau mewn perthynas â strategaethau a chynlluniau hygyrchedd neu i wneud darpariaeth mewn perthynas â chyfarwyddiadau o'r fath.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 2532 (W.247) (C.94)

EDUCATION, WALES

The Special Educational Needs and Disability Act 2001 (Commencement No. 2) (Wales) Order 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force in Wales on 8th October 2003 the remaining provisions of the Special Educational Needs and Disability Act 2001 which are not in force in Wales at the date of this Order, so that no further Order is required in relation to Wales.

The provisions being brought into force enable the National Assembly for Wales to make regulations and issue guidance in relation to accessibility strategies and plans, under the provisions of Part 2 of the Act (disability discrimination in education).

The provisions also enable the National Assembly for Wales to give local education authorities directions as to the discharge of their duties relating to accessibility strategies and plans or to make provision in relation to such directions.

Nodyn ynghylch Gorchmynion Cychwyn cynharach

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

Mae darpariaethau canlynol Deddf Anghenion Addysgol Arbennig ac Anabledd 2001 wedi'u dwyn i rym mewn perthynas â Chymru gan Orchmynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

Y Ddarpariaeth	Y Dyddiad cychwyn	Rhif O.S.
Adran 10 (yn rhannol)	8 Rhagfyr 2001	2001/3992 (C. 127)
Paragraffau 3 ac 14 o Atodlen 1 (yn rhannol)	8 Rhagfyr 2001	2001/3992 (C. 127)
Adran 1 (yn rhannol)	21 Ionawr 2002	2002/74 (Cy.8) (C.1)
Adran 8 (yn rhannol)	21 Ionawr 2002	2002/74 (Cy.8) (C.1)
Adran 42(1) (yn rhannol)	21 Ionawr 2002	2002/74 (Cy.8) (C.1)
Paragraffau 17 ac 18 o Atodlen 8 (yn rhannol)	21 Ionawr 2002	2002/74 (Cy.8) (C.1)
Adran 4 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2002	2001/3992 (C. 127)
Adran 5 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2002	2001/3992 (C. 127)
Adran 6	1 Ebrill 2002	2001/3992 (C. 127)
Adran 10 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2002	2001/3992 (C. 127)
Adran 41	1 Ebrill 2002	2001/3992 (C. 127)

Note as to earlier Commencement Orders

(*This Note is not part of the Order*)

The following provisions of the Special Educational Needs and Disability Act 2001 have been brought into force in relation to Wales by Commencement Orders made before the date of this Order.

Provision	Date of commencement	S.I. No.
Section 10 (partially)	8 December 2001	2001/3992 (C. 127)
Paragraphs 3 and 14 of Schedule 1 (partially)	8 December 2001	2001/3992 (C. 127)
Section 1 (partially)	21 January 2002	2002/74 (W.8) (C.1)
Section 8 (partially)	21 January 2002	2002/74 (W.8) (C.1)
Section 42(1) (partially)	21 January 2002	2002/74 (W.8) (C.1)
Paragraphs 17 and 18 of Schedule 8 (partially)	21 January 2002	2002/74 (W.8) (C.1)
Section 4 (to the extent not already in force)	1 April 2002	2001/3992 (C. 127)
Section 5 (to the extent not already in force)	1 April 2002	2001/3992 (C. 127)
Section 6	1 April 2002	2001/3992 (C. 127)
Section 10 (to the extent not already in force)	1 April 2002	2001/3992 (C. 127)
Section 41	1 April 2002	2001/3992 (C. 127)

Adran 42(1) (i'r graddau nad yw eisoes mewn grym) yn rhannol	1 Ebrill 2002	2001/3992 (C. 127)
Adran 42(2)-(4) (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2002	2001/3992 (C. 127)
Adran 42(6) yn rhannol	1 Ebrill 2002	2001/3992 (C. 127)
Paragraffau 1 hyd 20 o Atodlen 1 (i'r graddau nad ydynt eisoes mewn grym)	1 Ebrill 2002	2001/3992 (C. 127)
Yn Atodlen 8, paragraffau 13(1) hyd (4) a 15	1 Ebrill 2002	2001/3992 (C. 127)
Yn Atodlen 9, y diddymiadau canlynol i'r graddau y maent yn berthnasol i Gymru - yn Neddf Addysg 1996, yn adran 336(2), paragraff (d) ac yn adran 441(3)(a), y geiriau "in accordance with paragraph 10 of Schedule 27"; ac yn Neddf Safonau a Fframwaith Ysgolion 1998, yn Atodlen 30, paragraff 186(2)(b).	 1 Ebrill 2002	 2001/3992 (C. 127)
Adran 1 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2002	2002/74 (Cy.8) (C.1)

Section 42(1) (to the extent not already in force) partially	1 April 2002	2001/3992 (C. 127)
Section 42(2)-(4) (to the extent not already in force)	1 April 2002	2001/3992 (C. 127)
Section 42(6) partially	1 April 2002	2001/3992 (C. 127)
Paragraphs 1 to 20 of Schedule 1 (to the extent not already in force)	1 April 2002	2001/3992 (C. 127)
In Schedule 8, paragraphs 13(1) to (4) and 15	1 April 2002	2001/3992 (C. 127)
In Schedule 9, the repeals in so far as they relate to Wales of - in the Education Act 1996, in section 336(2), paragraph (d) and in section 441(3)(a), the words "in accordance with paragraph 10 of Schedule 27"; and in the School Standards and Framework Act 1998, in Schedule 30, paragraph 186(2)(b).	1 April 2002	2001/3992 (C. 127)
Section 1 (to the extent not already in force)	1 April 2002	2002/74 (W.8) (C.1)

Adrannau 2 a 3	1 Ebrill 2002	2002/74 (Cy.8) (C.1)
Adran 7	1 Ebrill 2002	2002/74 (Cy.8) (C.1)
Adran 8 (i'r graddau nad yw eisoes mewn grym)	1 Ebrill 2002	2002/74 (Cy.8) (C.1)
Adran 9	1 Ebrill 2002	2002/74 (Cy.8) (C.1)
Adran 42(1) (i'r graddau nad yw eisoes mewn grym) yn rhannol	1 Ebrill 2002	2002/74 (Cy.8) (C.1)
Adran 42(6) yn rhannol	1 Ebrill 2002	2002/74 (Cy.8) (C.1)
Yn Atodlen 8, paragraffau 1, 5 hyd 12, 14, 16 hyd 18 (i'r graddau nad ydynt eisoes mewn grym)	1 Ebrill 2002	2002/74 (Cy.8) (C.1)
Yn Atodlen 9, y diddymiadau canlynol i'r graddau y maent yn berthnasol i Gymru - yn Neddf Pobl Anabl (Gwasanaethau, Ymgynghori a Chynrychiolaeth) 1986, adran 5(1); ac yn Neddf Addysg 1996 - yn adran 325(1), y geiriau ", and of the effect of subsection (2) below"; ac yn Atodlen 27, paragraff 3(4), paragraff 8(1)(b)(iii), ym mharagraff 9(1) y geiriau "amend, or" a "10 or", a pharagraff 10.	1 Ebrill 2002	2002/74 (Cy.8) (C.1)

Sections 2 and 3	1 April 2002	2002/74 (W.8) (C.1)
Section 7	1 April 2002	2002/74 (W.8) (C.1)
Section 8 (to the extent not already in force)	1 April 2002	2002/74 (W.8) (C.1)
Section 9	1 April 2002	2002/74 (W.8) (C.1)
Section 42(1) (to the extent not already in force) partially	1 April 2002	2002/74 (W.8) (C.1)
Section 42(6) partially	1 April 2002	2002/74 (W.8) (C.1)
In Schedule 8, paragraphs 1, 5 to 12, 14, 16 to 18 (to the extent not already in force)	1 April 2002	2002/74 (W.8) (C.1)
In Schedule 9, the repeals in so far as they relate to Wales of - in the Disabled Persons (Services, Consultation and Representation) Act 1986, section 5(1); and in the Education Act 1996 - in section 325(1), the words ", and of the effect of subsection (2) below"; and in Schedule 27, paragraph 3(4), paragraph 8(1)(b)(iii), in paragraph 9(1) the words "amend, or" and "10 or", and paragraph 10.	1 April 2002	2002/74 (W.8) (C.1)

Adran 26, at ddibenion caniatáu dynodi sefydliadau addysgol yn unol ag adrannau 28R(6)(c) a 28R(7)(e) o Ddeddf Gwahaniaethu ar Sail Anabledd 1995	30 Mai 2002	2002/1647 (C. 49)
Adran 31	30 Mai 2002	2002/1647 (C. 49)
Adran 19 is-adran (1), yn rhannol	1 Gorffennaf 2002	2002/1721 (C. 50)
Yn adran 36, is-adran (2) ac is-adran (1) i'r graddau y maent yn berthnasol i is-adran (2)	1 Gorffennaf 2002	2002/1721 (C. 50)
Paragraff 13(5) o Atodlen 8	1 Gorffennaf 2002	2002/1721 (C. 50)
Adrannau 11 i 13 yn gynhwysol	1 Medi 2002	2002/2217 (C.71)
Adrannau 16 i 18 yn gyn hwysol	1 Medi 2002	2002/2217 (C.71)
Adran 19 (i'r graddau nad yw eisoes mewn grym)	1 Medi 2002	2002/2217 (C.71)
Adrannau 20 a 21	1 Medi 2002	2002/2217 (C.71)
Adran 22 (ac eithrio i'r graddau y mae'n rhoi pŵer i'r Cynulliad Cenedlaethol roi cyfarwyddiadau o dan adran 28M(1) neu (3) o Ddeddf Gwahaniaethu ar Sail Anabledd 1995 neu wneud darpariaeth mewn perthynas â chyfarwyddyd o'r fath)	1 Medi 2002	2002/2217 (C.71)

Section 26, for the purpose of allowing the designation of educational institutions pursuant to sections 28R(6)(c) and 28R(7)(e) of the Disability Discrimination Act 1995	30 May 2002	2002/1647 (C. 49)
Section 31	30 May 2002	2002/1647 (C. 49)
Section 19 sub-section (1), partially	1 July 2002	2002/1721 (C. 50)
In section 36, sub-section (2) and sub-section (1) as far as it relates to sub-section (2)	1 July 2002	2002/1721 (C. 50)
Paragraph 13(5) of Schedule 8	1 July 2002	2002/1721 (C. 50)
Sections 11 to 13 inclusive	1 September 2002	2002/2217 (C.71)
Sections 16 to 18 inclusive	1 September 2002	2002/2217 (C.71)
Section 19 (to the extent not already in force)	1 September 2002	2002/2217 (C.71)
Sections 20 and 21	1 September 2002	2002/2217 (C.71)
Section 22 (save in so far as it gives the National Assembly power to give directions under section 28M(1) or (3) of the Disability Discrimination Act 1995 or makes provision in relation to such a direction)	1 September 2002	2002/2217 (C.71)

Adrannau 23 i 25 yn gynhwysoi	1 Medi 2002	2002/2217 (C.71)
Adran 26 (i'r graddau nad yw eisoes mewn grym)	1 Medi 2002	2002/2217 (C.71)
Adran 27	1 Medi 2002	2002/2217 (C.71)
Adran 28 (yn ddarostynedig i erthygl 6 o O.S. 2002/2217(C.71))	1 Medi 2002	2002/2217 (C.71)
Adran 29	1 Medi 2002	2002/2217 (C.71)
Adran 30	1 Medi 2002	2002/2217 (C.71)
Adrannau 32 i 35 yn gynhwysol	1 Medi 2002	2002/2217 (C.71)
Adran 36 (i'r graddau nad yw eisoes mewn grym)	1 Medi 2002	2002/2217 (C.71)
Adrannau 37 i 40 yn gynhwysol	1 Medi 2002	2002/2217 (C.71)
Adran 41 (i'r graddau nad yw eisoes mewn grym)	1 Medi 2002	2002/2217 (C.71)
Adran 42 (i'r graddau nad yw eisoes mewn grym)	1 Medi 2002	2002/2217 (C.71)
Atodlenni 2 i 7 yn gynhwysol	1 Medi 2002	2002/2217 (C.71)
Atodlen 8 (i'r graddau nad yw eisoes mewn grym)	1 Medi 2002	2002/2217 (C.71)
Atodlen 9 (i'r graddau nad yw eisoes mewn grym)	1 Medi 2002	2002/2217 (C.71)

Sections 23 to 25 inclusive	1 September 2002	2002/2217 (C.71)
Section 26 (to the extent not already in force)	1 September 2002	2002/2217 (C.71)
Section 27	1 September 2002	2002/2217 (C.71)
Section 28 (subject to article 6 of S.I 2002/ 2217(C.71))	1 September 2002	2002/2217 (C.71)
Section 29	1 September 2002	2002/2217 (C.71)
Section 30	1 September 2002	2002/2217 (C.71)
Sections 32 to 35 inclusive	1 September 2002	2002/2217 (C.71)
Section 36 (to the extent not already in foce)	1 September 2002	2002/2217 (C.71)
Sections 37 to 40 inclusive	1 September 2002	2002/2217 (C.71)
Section 41 (to the extent not already in force)	1 September 2002	2002/2217 (C.71)
Section 42 (to the extent not already in force)	1 September 2002	2002/2217 (C.71)
Schedules 2 to 7 inclusive	1 September 2002	2002/2217 C.71)
Schedule 8 (to the extent not already in force)	1 September 2002	2002/2217 (C.71)
Schedule 9 (to the extent not already in force)	1 September 2002	2002/2217 (C.71)

OFFERYNNAU STATUDOL

2003 Rhif 2532 (Cy.247) (C.94)

ADDYSG, CYMRU

Gorchymyn Deddf Anghenion Addysgol Arbennig ac Anabledd 2001 (Cychwyn Rhif 2) (Cymru) 2003

Wedi'i wneud *1 Hydref 2003*

Mae Cynulliad Cenedlaethol Cymru, wrth arfer y pwerau a roddir iddo gan adran 43(6) a (7) o Ddeddf Anghenion Addysgol Arbennig ac Anabledd 2001(**a**), drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, cymhwyso a dehongli

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Anghenion Addysgol Arbennig ac Anabledd 2001 (Cychwyn Rhif 2) (Cymru) 2003.

(2) Mae'r Gorchymyn hwn yn gymwys mewn perthynas â Chymru yn unig.

(3) Yn y Gorchymyn hwn, onid yw'n dweud fel arall, mae cyfeiriadau at adrannau yn gyfeiriadau at adrannau o Ddeddf Anghenion Addysgol Arbennig ac Anabledd 2001.

Y diwrnod penodedig

2. Y diwrnod penodedig pan ddaw'r darpariaethau a bennir yn yr Atodlen i'r Gorchymyn hwn i rym yw 8 Hydref 2003.

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

1 Hydref 2003

Llywydd y Cynulliad Cenedlaethol

(a) 2001 p.10.

(b) 1998 p.38.

STATUTORY INSTRUMENTS

2003 No. 2532 (W.247) (C.94)

EDUCATION, WALES

The Special Educational Needs and Disability Act 2001 (Commencement No. 2) (Wales) Order 2003

Made *1st October 2003*

The National Assembly for Wales, in exercise of the power conferred upon it by section 43(6) and (7) of the Special Educational Needs and Disability Act 2001(**a**), hereby makes the following Order:

Citation, Application and Interpretation

1.-(1) This Order may be cited as the Special Educational Needs and Disability Act 2001 (Commencement No. 2) (Wales) Order 2003.

(2) This Order applies only in relation to Wales.

(3) In this Order, unless otherwise stated, references to sections are references to sections of the Special Educational Needs and Disability Act 2001.

Appointed day

2. The day appointed for the coming into force of the provisions specified in the Schedule to this Order is 8th October 2003.

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

1st October 2003

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) 2001 c.10.

(b) 1998 c.38.

YR ATODLEN

Erthygl 4

DARPARIAETHAU YN DOD I RYM AR 8 HYDREF 2003

Y Ddarpariaeth	Y Pwnc
Adran 14	Strategaethau a chynlluniau hygyrchedd
Adran 15	Strategaethau a chynlluniau hygyrchedd: gweithdrefn
Adran 22 (i'r graddau y mae'n rhoi'r pŵer i'r Cynulliad Cenedlaethol i roi cyfarwyddiadau o dan adran 28M(1) neu (3) o Ddeddf Gwahaniaethu ar Sail Anabledd 1995 neu yn gwneud darpariaeth mewn perthynas â chyfarwyddyd o'r fath)	Swyddogaethau'r Ysgrifennydd Gwladol a'r Cynulliad Cenedlaethol

SCHEDULE

Article 4

PROVISIONS COMING INTO FORCE ON 8TH OCTOBER 2003

PROVISION	SUBJECT MATTER
Section 14	Accessibility strategies and plans
Section 15	Accessibility strategies and plans: procedure
Section 22 (in so far as it gives the National Assembly power to give directions under section 28M(1) or (3) of the Disability Discrimination Act 1995 or makes provision in relation to such a direction)	Roles of the Secretary of State and the National Assembly

OFFERYNNAU STATUDOL

2003 Rhif 2532 (Cy.247) (C.94)

ADDYSG, CYMRU

Gorchymyn Deddf Anghenion Addysgol Arbennig ac Anabledd 2001 (Cychwyn Rhif 2) (Cymru) 2003

STATUTORY INSTRUMENTS

2003 No. 2532 (W.247) (C.94)

EDUCATION, WALES

The Special Educational Needs and Disability Act 2001 (Commencement No. 2) (Wales) Order 2003

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