



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2008 Rhif 983 (Cy.108) (C.48)

2008 No. 983 (W.108) (C.48)

ADDYSG, CYMRU

EDUCATION, WALES

**Gorchymyn Deddf Addysg Bellach
a Hyfforddiant 2007
(Cychwyn Rhif 2)
(Cymru) 2008**

**The Further Education and
Training Act 2007
(Commencement No. 2)
(Wales) Order 2008**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Y Gorchymyn hwn yw'r ail Orchymyn Cychwyn sy'n gymwys o ran Cymru a wneir o dan Ddeddf Addysg Bellach a Hyfforddiant 2007(1) ac fe ddaw ag adrannau 18(1) i (4) o'r Ddeddf honno i rym. Mae adran 18(1) yn diwygio adran 57 o Ddeddf Addysg Bellach ac Uwch 1992(2). Mae a wnelo adran 57 â phwerau Gweinidogion Cymru i ymyrryd mewn sefydliadau addysg bellach. Mae adran 18(2) yn mewnosod is-adran (2)(d) yn adran 57 ac yn galluogi Gweinidogion Cymru i arfer eu pwerau ymyrryd os ydynt wedi'u bodloni bod sefydliad yn perfformio yn sylweddol waeth nag y gellid yn rhesymol ddisgwyl iddo berfformio o dan yr holl amgylchiadau neu yn methu neu'n debygol o fethu â rhoi safon dderbyniol o addysg neu hyfforddiant. Mae adran 18(3) yn mewnosod is-adran (5A) yn adran 57 fel bod cyfarwyddiadau y gellir eu rhoi i gorff llywodraethu o dan yr adran honno yn gallu cynnwys cyfarwyddyd sy'n ei gwneud yn ofynnol i'r corff llywodraethu wneud trefniadau i gydweithio ag unrhyw gyrff a bennir yn y cyfarwyddyd. Mae adran 18(4) yn mewnosod is-adrannau (6A) a (6B) yn adran 57 sy'n darparu na chaiff Gweinidogion Cymru gyfarwyddo corff llywodraethu i ddiswyddo aelod o staff, ond cânt roi i'r corff llywodraethu unrhyw gyfarwyddiadau sy'n angenrheidiol i roi effaith i weithdrefnau sy'n gymwys i ystyried achos dros ddiswyddo aelod o staff.

This Order is the second Commencement Order which applies in relation to Wales made under the Further Education and Training Act 2007(1) and it brings into force sections 18(1) to (4) of that Act. Section 18(1) amends section 57 of the Further and Higher Education Act 1992(2). Section 57 relates to the Welsh Ministers' powers of intervention in further education institutions. Section 18(2) inserts subsection (2)(d) into section 57 whereby the Welsh Ministers can exercise their powers of intervention if they are satisfied that an institution is performing significantly less well than it might in all the circumstances reasonably be expected to perform, or is failing or likely to fail to give an acceptable standard of education or training. Section 18(3) inserts sub-section (5A) into section 57, such that directions that can be given to a governing body under that section can include a direction requiring the governing body to make collaboration arrangements with such bodies as may be specified in the direction. Section 18(4) inserts subsections (6A) and (6B) into section 57, which provide that the Welsh Ministers cannot direct a governing body to dismiss a member of staff, but can give the governing body such directions as are necessary to give effect to procedures applicable to consideration of the case for dismissal of a member of staff.

(1) 2007 (p.25).
(2) 1992 (p.13).

(1) 2007 (c.25).
(2) 1992 (c.13).

2008 Rhif 983 (Cy.108) (C.48)

2008 No. 983 (W.108) (C.48)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Deddf Addysg Bellach
a Hyfforddiant 2007
(Cychwyn Rhif 2)
(Cymru) 2008

The Further Education and
Training Act 2007
(Commencement No. 2)
(Wales) Order 2008

Gwnaed

2 Ebrill 2008

Made

2 April 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 32(3) o Ddeddf Addysg Bellach a Hyfforddiant 2007, yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred upon them by section 32(3) of the Further Education and Training Act 2007, make the following Order:

Enwi

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg Bellach a Hyfforddiant 2007 (Cychwyn Rhif 2) (Cymru) 2008.

Title

1. The title of this Order is the Further Education and Training Act 2007 (Commencement No. 2) (Wales) Order 2008.

Darpariaeth yn dod i rym

2. Daw adrannau 18(1) i (4) o Ddeddf Addysg Bellach a Hyfforddiant 2007 i rym ar 18 Ebrill 2008.

Provision coming into force

2. Sections 18(1) to (4) of the Further Education and Training Act 2007 come into force on 18 April 2008.

Jane Hutt

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, un o Weinidogion Cymru

Minister for Children, Education, Life Long Learning and Skills, one of the Welsh Ministers

2 Ebrill 2008

2 April 2008

2008 Rhif 983 (Cy.108) (C.48)

2008 No. 983 (W.108) (C.48)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Deddf Addysg Bellach
a Hyfforddiant 2007
(Cychwyn Rhif 2)
(Cymru) 2008

The Further Education and
Training Act 2007
(Commencement No. 2)
(Wales) Order 2008

© ^h Hawlfraint y Goron 2008

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2008

Printed and Published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£3.00

W0301/2008

ON