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OFFERYNNAU STATUDOL  
CYMRU

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**2009 Rhif 784 (Cy.70) (C.51)**

**ADDYSG, CYMRU**

**Gorchymyn Deddf Addysg a  
Sgiliau 2008 (Cychwyn Rhif 1 ac  
Arbedion) (Cymru) 2009**

**NODYN ESBONIADOL**

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

Dyma'r gorchymyn cychwyn cyntaf i'w wneud gan Weinidogion Cymru o dan Ddeddf Addysg a Sgiliau 2008 ("y Ddeddf").

Mae erthygl 2 yn dwyn mwyafrif adran 162 o'r Ddeddf i rym ar 31 Mawrth 2009. Mae'n diwygio swyddogaethau Gweinidogion Cymru o ran cymwysterau galwedigaethol ac academiaidd allanol o dan adran 30 o Ddeddf Addysg 1997. Mae'n gosod swyddogaethau newydd, sef datblygu a chyhoeddi meini prawf i gydnabod personau sy'n dymuno dyfarnu neu ddilysu cymwysterau a chydabod personau sy'n gwneud cais am gael eu cydnabod ac sy'n bodloni'r meini prawf. Mae gweddill adran 162 yn cael ei gychwyn gan erthygl 5.

Daw erthygl 3 ag adrannau 150, 152 a 153 o'r Ddeddf i rym ar 31 Mawrth 2009. Maent yn cyflwyno darpariaethau newydd ynghylch dymuniadau o ran addysg chweched dosbarth o'r flwyddyn ysgol 2010-2011 ac yn gwneud mân ddiwygiadau canlyniadol eraill ynghylch derbyn plant i ysgolion.

Mae erthygl 4 yn darparu nad yw'r diwygiadau i adrannau 86 a 94 o Ddeddf Safonau a Fframwaith Ysgolion 1998 yn effeithio ar dderbyn plant i ysgolion ar gyfer y flwyddyn ysgol 2009-2010.

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WELSH STATUTORY  
INSTRUMENTS

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**2009 No. 784 (W.70) (C.51)**

**EDUCATION, WALES**

**The Education and Skills Act 2008  
(Commencement No. 1 and  
Savings) (Wales) Order 2009**

**EXPLANATORY NOTE**

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

This Order is the first commencement order made by the Welsh Ministers under the Education and Skills Act 2008 ("the Act").

Article 2 brings into force on 31 March 2009 the majority of section 162 of the Act. This amends the functions of the Welsh Ministers in relation to external vocational and academic qualifications under section 30 of the Education Act 1997. It imposes new functions of developing and publishing criteria for the recognition of persons who wish to award or authenticate qualifications, and recognising persons who apply for recognition and meet the criteria. The remainder of section 162 is commenced by article 5.

Article 3 brings into force on 31 March 2009 sections 150, 152 and 153 of the Act which introduce new provisions about preferences relating to sixth form education from the school year 2010-2011 and makes other minor consequential school admissions amendments.

Article 4 provides that the amendments to sections 86 and 94 of the School Standards and Framework Act 1998 do not affect school admissions for the school year 2009-2010.

**2009 Rhif 784 (Cy.70) (C.51)**

**ADDYSG, CYMRU**

**Gorchymyn Deddf Addysg a  
Sgiliau 2008 (Cychwyn Rhif 1 ac  
Arbedion) (Cymru) 2009**

*Gwnaed*

*24 Mawrth 2009*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adran 173(3) o Ddeddf Addysg a Sgiliau 2008(1):

**Enwi, cymhwyso a dehongli**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg a Sgiliau 2008 (Cychwyn Rhif 1 ac Arbedion) (Cymru) 2009.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(3) Yn y Gorchymyn hwn—

ystyr "blwyddyn ysgol" ("*school year*") yw'r cyfnod sy'n dechrau ar 1 Medi ac yn dod i ben ar y 31 Awst nesaf;

ystyr "DSFFY 1998" ("*SSFA 1998*") yw Deddf Safonau a Fframwaith Ysgolion 1998(2);

ystyr "y Ddeddf" ("*the Act*") yw Deddf Addysg a Sgiliau 2008.

**Darpariaethau sy'n dod i rym ar 31 Mawrth 2009**

2. Daw'r darpariaethau canlynol o'r Ddeddf i rym ar 31 Mawrth 2009—

(a) adran 162(1), (2), (3)(a), (3)(b) a (4) i (10).

3. Daw'r darpariaethau canlynol o'r Ddeddf i rym, yn ddarostyngedig i erthygl 4, ar 31 Mawrth 2009—

(a) adrannau 150, 152 a 153;

(b) adran 169(1) i'r graddau y mae'n ymwneud â'r darpariaethau yn Atodlen 1 a bennir isod;

(c) adran 169(2) i'r graddau y mae'n ymwneud â'r diddymadau yn Atodlen 2 a bennir isod;

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(1) 2008 p.25.

(2) 1998 p.31.

**2009 No. 784 (W.70) (C.51)**

**EDUCATION, WALES**

**The Education and Skills Act 2008  
(Commencement No. 1 and  
Savings) (Wales) Order 2009**

*Made*

*24 March 2009*

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 173(3) of the Education and Skills Act 2008(1):

**Title, application and interpretation**

1.—(1) The title of this Order is the Education and Skills Act 2008 (Commencement No. 1 and Savings) (Wales) Order 2009.

(2) This Order applies in relation to Wales.

(3) In this Order—

"the Act" ("*y Ddeddf*") means the Education and Skills Act 2008;

"SSFA 1998" ("*DSFFY 1998*") means the School Standards and Framework Act 1998(2);

"school year" ("*blwyddyn ysgol*") means the period commencing with 1 September and ending with the next 31 August.

**Provisions coming into force on 31 March 2009**

2. The following provisions of the Act come into force on 31 March 2009—

(a) section 162(1), (2), (3)(a), (3)(b) and (4) to (10).

3. The following provisions of the Act come into force, subject to article 4, on 31 March 2009—

(a) sections 150, 152 and 153;

(b) section 169(1) to the extent that it relates to the provisions in Schedule 1 specified below;

(c) section 169(2) to the extent that it relates to the repeals in Schedule 2 specified below;

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(1) 2008 c.25.

(2) 1998 c.31.

- (ch) yn Atodlen 1, paragraffau 54, 55, 59(7), 66 a 67, ac, i'r graddau y mae'n ymwneud â'r paragraffau hynny, paragraff 53;
- (d) yn Atodlen 2, y diddymiadau i'r graddau y maent yn ymwneud ag adrannau 86 a 94 o DSFFY 1998.

4. Er bod adran 150 yn dod i rym ac er gwaethaf y diwygiadau a'r diddymiadau i adrannau 86 a 94 o DSFFY 1998 a wneir gan adrannau 152 a 169 o'r Ddeddf ac Atodlenni 1 a 2 iddi, bydd adrannau 86 a 94 yn parhau i fod yn gymwys heb y diwygiadau a'r diddymiadau hynny o ran derbyn plant i'r flwyddyn ysgol 2009-2010.

#### **Darpariaethau sy'n dod i rym ar 31 Hydref 2009**

5. Daw'r darpariaethau canlynol o'r Ddeddf i rym ar 31 Hydref 2009—

- (a) adran 162(3)(c).

- (d) in Schedule 1, paragraphs 54, 55, 59(7), 66 and 67, and, so far as relating to those paragraphs, paragraph 53;
- (e) in Schedule 2, the repeals so far as relating to sections 86 and 94 of the SSFA 1998.

4. Despite the coming into force of section 150 and the amendments and repeals to sections 86 and 94 of SSFA 1998 made by sections 152 and 169 of, and Schedules 1 and 2, to the Act, sections 86 and 94 shall continue to apply without those amendments and repeals in relation to admission to the school year 2009-2010.

#### **Provisions coming into force on 31 October 2009**

5. The following provisions of the Act come into force on 31 October 2009—

- (a) section 162(3)(c).

*Jane Hutt*

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

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

24 Mawrth 2009

24 March 2009

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