OFFERYNNAU STATUDOL CYMRU

2010 Rhif 1148 (Cy.103)

ADDYSG, CYMRU

Gorchymyn Awdurdodau Addysg Lleol ac Awdurdodau Gwasanaethau Plant (Integreiddio Swyddogaethau) (Cymru) 2010

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn disodli cyfeiriadau at awdurdodau addysg lleol ac awdurdodau gwasanaethau plant â chyfeiriadau at awdurdodau lleol mewn darpariaethau ym Mesur Teithio gan Ddysgwyr (Cymru) 2008, Mesur Dysgu a Sgiliau (Cymru) 2009, Mesur Bwyta'n Iach mewn Ysgolion (Cymru) 2009, Mesur Addysg (Cymru) 2009 a Mesur Plant a Theuluoedd (Cymru) 2010.

Mae integreiddio adrannau gwasanaethau cymdeithasol plant ac adrannau addysg mewn awdurdodau lleol yn cael ei adlewyrchu gan y newid hwn yn nefnydd y term awdurdod lleol (yn hytrach na chael y ddau derm, awdurdod addysg lleol ac awdurdod gwasanaethau plant i gyfeirio at yr un corff). Mae diwygiadau cyfatebol yn cael eu gwneud i ddarpariaethau mewn Deddfau sy'n gymwys i Gymru a Lloegr ill dwy yng Ngorchymyn Awdurdodau Addysg Lleol ac Awdurdodau Gwasanaethau Plant (Integreiddio Swyddogaethau) 2010, sy'n cael ei wneud gan yr Ysgrifennydd Gwladol.

WELSH STATUTORY INSTRUMENTS

2010 No. 1148 (W.103)

EDUCATION, WALES

The Local Education Authorities and Children's Services Authorities (Integration of Functions) (Wales) Order 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order replaces references to local education authorities and children's services authorities with references to local authorities in provisions of the Learner Travel (Wales) Measure 2008, the Learning and Skills (Wales) Measure 2009, the Healthy Eating in Schools (Wales) Measure 2009, the Education (Wales) Measure 2009 and the Children and Families (Wales) Measure 2010.

The integration within local authorities of children's social services departments and education departments is reflected by this change to the use of the term local authority (rather than having the two terms, local education authority and children's services authority to cover the same body).Corresponding amendments are made to provisions of Acts that apply to both Wales and England in the Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010, made by the Secretary of State.

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OFFERYNNAU STATUDOL CYMRU

2010 Rhif 1148 (Cy.103)

ADDYSG, CYMRU

Gorchymyn Awdurdodau Addysg Lleol ac Awdurdodau Gwasanaethau Plant (Integreiddio Swyddogaethau) (Cymru) 2010

Gwnaed *31 Mawrth 2010*

Yn dod i rym *yn unol ag erthygl 1*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer y pwerau a roddir gan adrannau 162(5A) a 181(2) o Ddeddf Addysg ac Arolygiadau 2006(**1**).

Mae drafft o'r Gorchymyn hwn wedi'i osod gerbron Cynulliad Cenedlaethol Cymru, ac wedi'i gymeradwyo drwy benderfyniad ganddo(**2**).

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Awdurdodau Addysg Lleol ac Awdurdodau Gwasanaethau Plant (Integreiddio Swyddogaethau) (Cymru) 2010 a daw i rym ar y pymthegfed diwrnod ar hugain ar ôl y diwrnod y cafodd ei wneud.

Diwygio Mesur Teithio gan Ddysgwyr (Cymru) 2008

2. Yn adran 24(1) o Fesur Teithio gan Ddysgwyr (Cymru) 2008(**3**) yn y diffiniad o "awdurdod lleol" yn lle "awdurdod addysg lleol" rhodder "awdurdod lleol".

(**1**) 2006 p.40. Mewnosodwyd adran 162(5A) a diwygiwyd adran 181(2) gan adran 23 o Fesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2), a diwygiwyd adran 162(5A) gan baragraff 11 o'r Atodlen i Fesur Addysg (Cymru) 2009 (mccc 5) a chan baragraff 20 o Atodlen 1 i Fesur Plant a Theuluoedd (Cymru) 2010 (mccc 1).

(**2**) Yn unol ag adran 182A(1) o Ddeddf Addysg ac Arolygiadau 2006.

(**3**) 2008 mccc 2.

WELSH STATUTORY INSTRUMENTS

2010 No. 1148 (W.103)

EDUCATION, WALES

The Local Education Authorities and Children's Services Authorities (Integration of Functions) (Wales) Order 2010

Made *31 March 2010*

Coming into force in accordance with article 1

The Welsh Ministers make this Order in the exercise of the powers conferred by sections 162(5A) and 181(2) of the Education and Inspections Act 2006(**1**).

A draft of this Order has been laid before, and approved by resolution of, the National Assembly for Wales(**2**).

Title and commencement

1. The title of this Order is the Local Education Authorities and Children's Services Authorities (Integration of Functions) (Wales) Order 2010 and it comes into force on the thirty-fifth day after the day on which it is made.

Amendment of Learner Travel (Wales) Measure 2008

2. In section 24(1) of the Learner Travel (Wales) Measure 2008(**3**) in the definition of "local authority" for "local education authority" substitute "local authority".

(**1**) 2006 c.40. Section 162(5A) was inserted and section 181(2) was amended by section 23 of the Learner Travel (Wales) Measure 2008 (nawm 2), and section 162(5A) was amended by paragraph 11 of the Schedule to the Education (Wales) Measure 2009 (nawm 5) and by paragraph 20 of Schedule 1 to the Children and Families (Wales) Measure 2010 (nawm 1).

(**2**) In accordance with section 182A(1) of the Education and Inspections Act 2006.

(**3**) 2008 nawm 2.

Diwygio Mesur Dysgu a Sgiliau (Cymru) 2009

3.–(1) Diwygir Mesur Dysgu a Sgiliau (Cymru) 2009(**1**) fel a ganlyn.

(2) Yn lle "awdurdod addysg lleol" ym mhob man y gwelir y geiriau hynny rhodder "awdurdod lleol" ac yn lle "local education authority" ym mhob man y gwelir y geiriau hynny (gan gynnwys yn y darpariaethau newydd a fewnosodir yn Neddf Dysgu a Medrau 2000) rhodder "local authority".

(3) Yn adran 44 yn y man priodol rhodder–

"mae i "awdurdod lleol yng Nghymru" yr ystyr a roddir i "*local authority in Wales*" yn adran 579(1) o Ddeddf Addysg 1996;".

Diwygio Mesur Bwyta'n Iach mewn Ysgolion (Cymru) 2009

4.–(1) Diwygir Mesur Bwyta'n Iach mewn Ysgolion (Cymru) 2009(**2**) fel a ganlyn.

(2) Yn adrannau 7 a 8 yn lle "local education authority" ym mhob man y gwelir y geiriau hynny rhodder "local authority".

(3) Yn adran 11 yn lle'r diffiniad o "awdurdod lleol" rhodder y canlynol–

"ystyr "awdurdod lleol" yw awdurdod lleol yng Nghymru o fewn ystyr "*local authority in Wales*" yn adran 579(1) o Ddeddf Addysg 1996;".

Diwygio Mesur Addysg (Cymru) 2009

5.–(1) Diwygir Mesur Addysg (Cymru) 2009(**3**) fel a ganlyn.

(2) Yn lle "awdurdod addysg lleol" ym mhob man y gwelir y geiriau hynny rhodder "awdurdod lleol" ac yn lle "local education authority" ym mhob man y gwelir y geiriau hynny (gan gynnwys yn y darpariaethau newydd a fewnosodir yn Neddf Addysg 1996 ac yn Neddf Gwahaniaethu ar sail Anabledd 1995) rhodder "local authority".

(3) Yn adran 10 ar ôl is-adran (5) o'r adran 28IB newydd o Ddeddf Gwahaniaethu ar Sail Anabledd 1995 ychwaneger y canlynol–

"(6) In this section, sections 28IC, 28ID and 28IE "local authority" has the meaning given by section 579(1) of the Education Act 1996.".

(4) Yn adran 19(1) yn lle "awdurdodau addysg lleol" rhodder "awdurdodau lleol".

(**1**) 2009 mccc 1.

(**2**) 2009 mccc 3.

(**3**) 2009 mccc 5.

Amendment of Learning and Skills (Wales) Measure 2009

3.–(1) The Learning and Skills (Wales) Measure 2009(**1**) is amended as follows.

(2) For "local education authority" in each place where those words occur (including in the new provisions being inserted into the Learning and Skills Act 2000) substitute "local authority".

(3) In section 44 at the appropriate place insert–

""local authority in Wales" ("*awdurdod lleol yng Nghymru*") has the meaning given by section 579(1) of the Education Act 1996;".

Amendment of Healthy Eating in Schools (Wales) Measure 2009

4.–(1) The Healthy Eating in Schools (Wales) Measure 2009(**2**) is amended as follows.

(2) In sections 7 and 8 for "local education authority" in each place where those words occur substitute "local authority".

(3) In section 11 for the definition of "local authority" substitute the following–

""local authority" ("*awdurdod lleol*") means a local authority in Wales within the meaning of section 579(1) of the Education Act 1996;".

Amendment of Education (Wales) Measure 2009

5.–(1) The Education (Wales) Measure 2009(**3**) is amended as follows.

(2) For "local education authority" in each place where those words occur (including in the new provisions being inserted into the Education Act 1996 and into the Disability Discrimination Act 1995) substitute "local authority".

(3) In section 10 add after subsection (5) of the new section 28IB of the Disability Discrimination Act 1995 the following–

"(6) In this section, sections 28IC, 28ID and 28IE "local authority" has the meaning given by section 579(1) of the Education Act 1996.".

(4) In section 19(1) for "local education authorities" substitute "local authorities".

(**1**) 2009 nawm 1.

(**2**) 2009 nawm 3.

(**3**) 2009 nawm 5.

Diwygio Mesur Plant a Theuluoedd (Cymru) 2010

6.–(1) Diwygir Mesur Plant a Theuluoedd (Cymru) 2010(**1**) fel a ganlyn.

(2) Hepgorer y geiriau "(awdurdodau gwasanaethau plant)" ym mhennawd adran 4.

(3) Yn adran 4 yn lle "children's services authority" ym mhob man lle y gwelir y geiriau hynny rhodder "local authority".

Amendment of Children and Families (Wales) Measure 2010

6.–(1) The Children and Families (Wales) Measure 2010(**1**) is amended as follows.

(2) Omit the words "(children's services authorities)" in the heading to section 4.

(3) In section 4 for "children's services authority" in each place where those words occur substitute "local authority".

Leighton Andrews

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

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

31 Mawrth 2010

31 March 2010

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(**1**) 2010 mccc 1.

(**1**) 2010 nawm 1.

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