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OFFERYNNAU STATUDOL  
CYMRU

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**2010 Rhif 2543 (Cy.212) (C.122)**

**ADDYSG, CYMRU**

Gorchymyn Deddf Addysg ac  
Arolygiadau 2006 (Cychwyn Rhif  
6) (Cymru) 2010

**NODYN ESBONIADOL**

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

Mae'r Gorchymyn hwn yn dwyn adrannau 88 i 99, 102, 108 a 167 o Ddeddf Addysg ac Arolygiadau 2006 i rym ar 31 Hydref 2010. Mae adrannau 98, 99 a 102 yn cael eu dwyn i rym at ddibenion gwneud rheoliadau ar 31 Hydref 2010 ac yn cychwyn yn llawn ar 5 Ionawr 2011.

Mae adran 88 i 96 yn ymwneud â disgyblaeth ac ymddygiad mewn ysgol a gwaharddiad o'r ysgol. Maent yn sefydlu pŵer statudol i orfodi disgyblaeth ysgol a mesurau mwy penodedig sy'n ymwneud â disgyblion a waharddwyd a chyfrifoldeb rhieni am ymddygiad plant. Mae'r darpariaethau hyn hefyd yn ailddeddfu darpariaethau cyfreithiol eraill ar gyfrifoldebau cyrff llywodraethu am ddisgyblu a phenderfyniad y pennaeth ar bolisi ymddygiad.

Mae adrannau 97 i 99 yn ymestyn argaeledd contractau rhianta a gorchymynion rhianta mewn perthynas â chamymddwyn mewn ysgol.

Mae adran 102 yn caniatáu ar gyfer rheoliadau a all ei gwneud yn ofynnol i benaethiaid drefnu cyfweiliadau ailintegreiddio ar gyfer disgyblion a waharddwyd.

Mae adran 108 yn ymestyn pwerau'r heddlu i symud triantiaid o fannau cyhoeddus yn ystod oriau ysgol yn adran 16 o Ddeddf Trosedd ac Anhrefn 1998 (p. 37) i gynnwys disgyblion a waharddwyd.

Mae adran 167 yn diwygio adran 176 o Ddeddf Addysg 2002 fel bod y gofyniad i ymgynghori â disgyblion a osodwyd ar awdurdodau lleol a chyrrff llywodraethu yn gymwys mewn perthynas â disgyblion sy'n cael addysg feithrin.

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WELSH STATUTORY  
INSTRUMENTS

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**2010 No. 2543 (W.212) (C.122)**

**EDUCATION, WALES**

The Education and Inspections Act  
2006 (Commencement No. 6)  
(Wales) Order 2010

**EXPLANATORY NOTE**

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

This Order brings sections 88 to 99, 102, 108 and 167 of the Education and Inspections Act 2006 into force on 31 October 2010. Sections 98, 99 and 102 are brought into force for the purpose of making regulations on 31 October 2010 and are fully commenced on 5 January 2011.

Section 88 to 96 relate to school discipline, behaviour and exclusion. They establish a statutory power to enforce school discipline and more specific measures relating to excluded pupils and parental responsibility for the behaviour of children. These provisions also re-enact other existing legal provisions on the responsibilities of governing bodies for discipline and determination by the headteacher of a behaviour policy.

Sections 97 to 99 extend the availability of parenting contracts and parenting orders in respect of misbehaviour at school.

Section 102 allows for regulations that may require headteachers to arrange reintegration interviews for excluded pupils.

Section 108 extends police powers to remove truants from public places during school hours in section 16 of the Crime and Disorder Act 1998 (c. 37) to excluded pupils.

Section 167 amends section 176 of the Education Act 2002 so that the requirement to consult pupils which is imposed on local authorities and governing bodies applies in relation to pupils receiving nursery education.

**NODYN AM Y GORCHMYNION  
CYCHWYN BLAENOROL**

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

Mae darpariaethau canlynol Deddf Addysg ac Arolygiadau 2006 wedi eu dwyn i rym o ran Cymru drwy Orchmynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

**NOTE AS TO EARLIER  
COMMENCEMENT ORDERS**

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

The following provisions of the Education and Inspections Act 2006 have been brought into force in relation to Wales by Commencement Orders made before the date of this Order:

<i>Y ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>O.S. Rhif</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Adran 1	30 Mehefin 2008	2008/1429 (Cy.148)	Section 1	30 June 2008	2008/1429 (W.148)
Adran 4	1 Medi 2009	2009/1027 (Cy.89)	Section 4	1 September 2009	2009/1027 (W.89)
Adran 37(1) a (2)(a)	30 Mehefin 2008	2008/1429 (Cy.148)	Section 37(1) and (2)(a)	30 June 2008	2008/1429 (W.148)
Adran 38	1 Medi 2008	2008/1429 (Cy.148)	Section 38	1 September 2008	2008/1429 (W.148)
Adran 39	30 Mehefin 2008	2008/1429 (Cy.148)	Section 39	30 June 2008	2008/1429 (W.148)
Adran 40	1 Medi 2008	2008/1429 (Cy.148)	Section 40	1 September 2008	2008/1429 (W.148)
Adrannau 43-45	30 Mehefin 2008	2008/1429 (Cy.148)	Sections 43-45	30 June 2008	2008/1429 (W.148)
Adran 47	30 Mehefin 2008	2008/1429 (Cy.148)	Section 47	30 June 2008	2008/1429 (W.148)
Adran 53	30 Mehefin 2008	2008/1429 (Cy.148)	Section 53	30 June 2008	2008/1429 (W.148)
Adran 55	9 Chwefror 2009	2008/1429 (Cy.148)	Section 55	9 February 2009	2008/1429 (W.148)
Adran 57 yn rhannol	15 Mawrth 2010	2010/736 (Cy.73)	Section 57 in part	15 March 2010	2010/736 (W.73)
gweddill	2 Ebrill 2010		remainder	2 April 2010	
Adran 89 yn rhannol	1 Ionawr 2010	2009/2545 (Cy.207)	Section 89 in part	1 January 2010	2009/2545 (W.207)
Adran 96 yn rhannol	1 Ionawr 2010	2009/2545 (Cy.207)	Section 96 in part	1 January 2010	2009/2545 (W.207)
Adran 156	30 Mehefin 2008	2008/1429 (Cy.148)	Section 156	30 June 2008	2008/1429 (W.148)
Adran 164	1 Medi 2009	2009/1027 (Cy.89)	Section 164	1 September 2009	2009/1027 (W.89)
Adran 166	30 Mehefin 2008	2008/1429 (Cy.148)	Section 166	30 June 2008	2008/1429 (W.148)

Adran 169	12 Hydref 2009	2009/2545 (Cy.207)	Section 169	12 October 2009	2009/2545 (W.207)
Adran 170	12 Hydref 2009	2009/2545 (Cy.207)	Section 170	12 October 2009	2009/2545 (W.207)
Adran 171	12 Hydref 2009	2009/2545 (Cy.207)	Section 171	12 October 2009	2009/2545 (W.207)
Adran 175	30 Mehefin 2008	2008/1429 (Cy.148)	Section 175	30 June 2008	2008/1429 (W.148)
Adran 184 yn rhannol	30 Mehefin 2008	2008/1429 (Cy.148)	Section 184 in part	30 June 2008	2008/1429 (W.148)
Adran 184 yn rhannol	1 Medi 2008	2008/1429 (Cy.148)	Section 184 in part	1 September 2008	2008/1429 (W.148)
Adran 184 yn rhannol	1 Medi 2009	2009/1027 (Cy.89)	Section 184 in part	1 September 2009	2009/1027 (W.89)
Adran 184 yn rhannol	1 Ionawr 2010	2009/2545 (Cy.207)	Section 184 in part	1 January 2010	2009/2545 (W.207)
Adran 184 yn rhannol	2 Ebrill 2010	2010/736 (Cy.73)	Section 184 in part	2 April 2010	2010/736 (W.73)
Atodlen 5 yn rhannol	15 Mawrth 2010	2010/736 (Cy.73)	Schedule 5 in part	15 March 2010	2010/736 (W.73)
gweddill	2 Ebrill 2010		remainder	2 April 2010	
Atodlen 17	30 Mehefin 2008	2008/1429 (Cy.148)	Schedule 17	30 June 2008	2008/1429 (W.148)
Atodlen 18 yn rhannol	30 Mehefin 2008	2008/1429 (Cy.148)	Schedule 18 in part	30 June 2008	2008/1429 (W.148)
Atodlen 18 yn rhannol	1 Medi 2008	2008/1429 (Cy.148)	Schedule 18 in part	1 September 2008	2008/1429 (W.148)
Atodlen 18 yn rhannol	1 Medi 2009	2009/1027 (Cy.89)	Schedule 18 in part	1 September 2009	2009/1027 (W.89)
Atodlen 18 yn rhannol	1 Ionawr 2010	2009/2545 (Cy.207)	Schedule 18 in part	1 January 2010	2009/2545 (W.207)
Atodlen 18 yn rhannol	2 Ebrill 2010	2010/736 (Cy.73)	Schedule 18 in part	2 April 2010	2010/736 (W.73)

Mae amryw o ddarpariaethau Deddf Addysg ac Arolygiadau 2006 wedi eu dwyn i rym mewn perthynas â Lloegr gan yr Offerynnau Statudol canlynol: O.S. 2006/2990 fel y'i diwygiwyd gan O.S. 2008/54, O.S. 2006/3400, O.S. 2007/935 (fel y'i diwygiwyd gan O.S. 2007/1271), O.S. 2007/1271, O.S. 2007/1801, O.S. 2007/3074 ac O.S. 2008/1971.

*Gweler* hefyd adran 188(1) a (2) ar gyfer y darpariaethau a ddaeth i rym ar 8 Tachwedd 2006 (dyddiad y Cydsyniad Brenhinol) ac 8 Ionawr 2007 (ddeufis yn ddiweddarach).

Various provisions of the Education and Inspections Act 2006 have been brought into force in relation to England by the following Statutory Instruments: S.I. 2006/2990 as amended by S.I. 2008/54, S.I. 2006/3400, S.I. 2007/935 (as amended by S.I. 2007/1271), S.I. 2007/1271, S.I. 2007/1801, S.I. 2007/3074 and S.I. 2008/1971.

*See also* section 188(1) and (2) of the provisions that came into force on 8 November 2006 (date of Royal Assent) and 8 January 2007 (two months thereafter).

**2010 Rhif 2543 (Cy.212) (C.122)**

**ADDYSG, CYMRU**

**Gorchymyn Deddf Addysg ac  
Arolygiadau 2006 (Cychwyn Rhif  
6) (Cymru) 2010**

*Gwnaed*

*18 Hydref 2010*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 181 a 188(3) o Ddeddf Addysg ac Arolygiadau 2006(1) ac sydd bellach wedi eu breinio ynddynt hwy(2), yn gwneud y Gorchymyn a ganlyn:

**Enwi a dehongli**

1.–(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg ac Arolygiadau 2006 (Cychwyn Rhif 6) (Cymru) 2010.

(2) Yn y Gorchymyn hwn–

ystyr "Deddf 2006" ("*the 2006 Act*") yw Deddf Addysg ac Arolygiadau 2006,

ystyr "Deddf 1996" ("*EA 1996*") yw Deddf Addysg 1996.

**Diwrnodau penodedig**

2. Daw darpariaethau canlynol Deddf 2006 i rym ar 31 Hydref 2010–

- (a) adran 88;
- (b) adran 89 i'r graddau nad yw eisoes mewn grym;
- (c) adrannau 90 a 91;
- (ch) adran 92 ac eithrio isadran 8(b);
- (d) adrannau 93 i 95;
- (dd) adran 96 i'r graddau nad yw eisoes mewn grym;
- (e) adran 97;

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(1) 2006 p.40. Diwygir adran 181 gan adran 23 o Fesur Teithio gan Ddysgwyr (Cymru) 2008 (2008 mccc 2).

(2) Yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

**2010 No. 2543 (W.212) (C.122)**

**EDUCATION, WALES**

**The Education and Inspections Act  
2006 (Commencement No. 6)  
(Wales) Order 2010**

*Made*

*18 October 2010*

The Welsh Ministers, in exercise of the powers conferred upon the National Assembly for Wales by sections 181 and 188(3) of the Education and Inspections Act 2006(1), and now vested in them(2), make the following Order:

**Title and interpretation**

1.–(1) The title of this Order is the Education and Inspections Act 2006 (Commencement No 6) (Wales) Order 2010.

(2) In this Order–

"the 2006 Act" ("*Deddf 2006*") means the Education and Inspections Act 2006,

"EA 1996" ("*Deddf 1996*") means the Education Act 1996.

**Appointed days**

2. The following provisions of the 2006 Act come into force on 31 October 2010–

- (a) section 88;
- (b) section 89 so far as it is not already in force;
- (c) sections 90 and 91;
- (d) section 92 except subsection 8(b);
- (e) sections 93 to 95;
- (f) section 96 so far as it is not already in force;
- (g) section 97;

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(1) 2006 c.40. Section 181 is amended by section 23 of the Learner Travel (Wales) Measure 2008 (2008 nawm 2).

(2) By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

- (f) adrannau 98 a 99 at ddibenion gwneud rheoliadau o dan yr adrannau newydd 20(2A) a 22A o Ddeddf Ymddygiad Gwrthgymdeithasol 2003(1);
- (ff) adran 102 at ddibenion gwneud rheoliadau;
- (g) adran 108;
- (ng) adran 167;
- (h) adran 184 i'r graddau y mae'n ymwneud â'r darpariaethau a osodir ym mharagraff (i);
- (i) yn Rhan 6 o Atodlen 18, diddymu—  
yn Neddf 1996, adrannau 550A a 550B,  
yn Neddf Safonau a Fframwaith Ysgolion 1998(2), adran 61 (yn llawn),  
yn Neddf Addysg 1997(3), adrannau 4 a 5,  
yn Neddf Addysg 2002(4), y diffiniad o "pupil" yn adran 176(3),  
yn Neddf Gofal Plant 2006(5), paragraff 42 o Atodlen 2.

3. Mae darpariaethau canlynol Deddf 2006 yn dod i rym ar 5 Ionawr 2011 i'r graddau nad ydynt eisoes mewn grym—

- (a) adrannau 98 a 99; a
- (b) adran 102.

- (h) sections 98 and 99 for the purpose of making regulations under the new sections 20(2A) and 22A of the Anti-social Behaviour Act 2003(1);
- (i) section 102 for the purpose of making regulations;
- (j) section 108;
- (k) section 167;
- (l) section 184 to the extent that it relates to the provisions set out in paragraph (m);
- (m) in Part 6 of Schedule 18, the repeal—  
in EA 1996 of sections 550A and 550B,  
in School Standards and Framework Act 1998(2) of section 61 (fully),  
in Education Act 1997(3) of sections 4 and 5,  
in Education Act 2002(4), the definition of "pupil" in section 176(3),  
in Childcare Act 2006(5), paragraph 42 of Schedule 2.

3. The following provisions of the 2006 Act come into force on 5 January 2011 so far as not already in force—

- (a) sections 98 and 99; and
- (b) section 102.

*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

18 Hydref 2010

18 October 2010

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- (1) 2003 p. 38.
- (2) 1998 p. 31.
- (3) 1997 p. 44.
- (4) 2002 p. 32.
- (5) 2006 p. 21.

- (1) 2003 c.38.
- (2) 1998 c.31.
- (3) 1997 c. 44.
- (4) 2002 c. 32.
- (5) 2006 c. 21.

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**ADDYSG, CYMRU**

Gorchymyn Deddf Addysg ac  
Arolygiadau 2006 (Cychwyn Rhif  
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