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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2013 Rhif 1566 (Cy. 143) (C. 62)**

**2013 No. 1566 (W. 143) (C. 62)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

Gorchymyn Deddf Diogelu  
Rhyddidau 2012 (Cychwyn Rhif 2)  
(Cymru) 2013

The Protection of Freedoms Act  
2012 (Commencement No. 2)  
(Wales) Order 2013

**NODYN ESBONIADOL**

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

Mae'r Gorchymyn hwn wedi ei wneud o dan adran 120(2) a (3) o Ddeddf Diogelu Rhyddidau 2012 ("Deddf 2012"). Y Gorchymyn hwn yw'r ail orchymyn cychwyn i gael ei wneud gan Weinidogion Cymru o dan Ddeddf 2012.

Mae erthygl 2 o'r Gorchymyn hwn yn dwyn adrannau 26 i 28 o Ddeddf 2012 i rym ar 1 Medi 2013 i reoleiddio gwybodaeth fiometrïg plant a phobl ifanc mewn ysgolion yng Nghymru a sefydliadau addysg bellach (SABau) yng Nghymru.

Mae adran 26 yn gosod gofyniad ar ysgolion a SABau i hysbysu rhieni a chael cydsyniad rhieni cyn prosesu gwybodaeth fiometrïg plentyn.

Mae adran 27 yn nodi eithriadau i'r gofyniad i gael cydsyniad ac yn gwneud darpariaeth bellach ynghylch cydsyniad a hysbysu.

Mae adran 28 yn cynnwys diffiniadau sy'n berthnasol i weithrediad adrannau 26 i 28.

**NODYN AM Y GORCHMYNION CYCHWYN  
CYNHARACH**

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

Mae darpariaethau canlynol Deddf 2012 wedi eu dwyn i rym o ran Cymru drwy Orchymyn Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

**EXPLANATORY NOTE**

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

This Order is made under section 120(2) and (3) of the Protection of Freedoms Act 2012 ("the 2012 Act"). This Order is the second commencement order to be made by the Welsh Ministers under the 2012 Act.

Article 2 of this Order brings into force on the 1 September 2013 sections 26 to 28 of the 2012 Act to regulate the biometric information of children and young persons in schools in Wales and further education institutions (FEIs) in Wales.

Section 26 imposes a requirement on schools and FEIs to notify parents and obtain parental consent before processing a child's biometric information.

Section 27 specifies exceptions to the consent requirement and makes further provision about consent and notification.

Section 28 contains definitions relevant to the operation of sections 26 to 28.

**NOTE AS TO EARLIER COMMENCEMENT  
ORDERS**

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

The following provisions of the 2012 Act have been brought into force in relation to Wales by a Commencement Order made before the date of this Order:

<i><b>Y Ddarpariaeth</b></i>	<i><b>Y Dyddiad Cychwyn</b></i>	<i><b>Rhif O.S.</b></i>
Adran 56	1 Hydref 2012	2012 Rhif 2499 (Cy.274) (C.98)
Atodlen 4	1 Hydref 2012	2012 Rhif 2499 (Cy.274) (C.98)

<i><b>Provision</b></i>	<i><b>Date of Commencement</b></i>	<i><b>S.I. No.</b></i>
Section 56	1 October 2012	2012 No. 2499 (W.274) (C.98)
Schedule 4	1 October 2012	2012 No. 2499 (W.274) (C.98)

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(Cymru) 2013

The Protection of Freedoms Act  
2012 (Commencement No. 2)  
(Wales) Order 2013

*Gwnaed*

*24 Mehefin 2013*

*Made*

*24 June 2013*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 120(2) a (3) o Ddeddf Diogelu Rhyddidau 2012(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred upon them by section 120(2) and (3) of the Protection of Freedoms Act 2012(1), make the following Order:

**Enwi**

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Diogelu Rhyddidau 2012 (Cychwyn Rhif 2) (Cymru) 2013.

**Title**

1. The title of this Order is the Protection of Freedoms Act 2012 (Commencement No. 2) (Wales) Order 2013.

**Y diwrnod penodedig**

2.1 Medi 2013 yw'r diwrnod penodedig i'r darpariaethau ym Mhennod 2 o Ran 1 o Ddeddf Diogelu Rhyddidau 2012 ddod i rym, i'r graddau y maent yn ymwneud ag ysgolion a sefydliadau addysg bellach.

**Appointed day**

2. The day appointed for the coming into force of the provisions in Chapter 2 of Part 1 of the Protection of Freedoms Act 2012 Act in so far as they relate to schools and further education institutions is 1 September 2013.

*Leighton Andrews*

Y Gweinidog Addysg a Sgiliau, un o Weiniidogion Cymru

Minister for Education and Skills, one of the Welsh Ministers

24 Mehefin 2013

24 June 2013

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