



Mesur Teithio gan Ddysgwyr (Cymru) 2008

2008 mccc 2

Learner Travel (Wales) Measure 2008

2008 nawm 2

Lluniwyd Nodiadau Esboniadol yn gymorth i ddeall y Mesur hwn ac maent ar gael ar wahân.

Explanatory Notes have been produced to assist in the understanding of this Measure and are available separately.

£9.00



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Learner Travel (Wales) Measure 2008

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Mesur Teithio gan Ddysgwyr (Cymru) 2008

Mesur gan Gynulliad Cenedlaethol Cymru i wneud darpariaeth ynghylch teithio gan bersonau sy'n cael addysg gynradd, addysg uwchradd neu addysg bellach neu hyfforddiant i ysgolion neu i fannau eraill lle y maent yn cael addysg neu hyfforddiant, ac oddi yno; ac at ddibenion cysylltiedig.

Mae'r Mesur hwn, a basiwyd gan Gynulliad Cenedlaethol Cymru ar 30 Medi 2008 ac a gymeradwywyd gan Ei Mawrhydi yn Ei Chyngor ar 10 Rhagfyr 2008, yn deddfu'r darpariaethau a ganlyn:—

Prif dermau

1 Y prif dermau a ddefnyddir yn y Mesur hwn

- (1) Mae'r adran hon yn gymwys at ddibenion y Mesur hwn.
- (2) Trefniadau teithio, ni waeth beth fo'r disgrifiad ohonynt, yw "trefniadau teithio" ac maent yn cynnwys—
 - (a) darparu cludiant;
 - (b) darparu un person neu fwy i hebrwng plentyn pan fydd yn teithio;
 - (c) talu'r cyfan neu unrhyw ran o dreuliau teithio rhesymol person;
 - (d) talu lwfansau mewn cysylltiad â defnyddio dulliau teithio penodol.
- (3) Ystyr "dysgwyr" yw personau sy'n cael addysg neu hyfforddiant.
- (4) Mae "mannau perthnasol" fel a ganlyn—
 - (a) ysgolion a gynhelir;
 - (b) sefydliadau yn y sector addysg bellach;
 - (c) ysgolion annibynnol a enwir mewn datganiadau a gedwir o dan adran 324 o Ddeddf Addysg 1996 (p.56);
 - (d) ysgolion arbennig nas cynhelir;
 - (e) unedau cyfeirio disgyblion;
 - (f) manau ac eithrio unedau cyfeirio disgyblion lle y trefnir addysg o dan adran 19(1) o Ddeddf Addysg 1996;



Learner Travel (Wales) Measure 2008

A Measure of the National Assembly for Wales to make provision about the travel of persons receiving primary, secondary or further education or training to and from schools or other places where they receive it; and for connected purposes.

This Measure, passed by the National Assembly for Wales on 30 September 2008 and approved by Her Majesty in Council on 10 December 2008, enacts the following provisions:—

Main terms

1 Main terms used in this Measure

- (1) This section applies for the purposes of this Measure.
- (2) "Travel arrangements" are travel arrangements of any description and include—
 - (a) the provision of transport;
 - (b) the provision of one or more persons to escort a child when travelling;
 - (c) the payment of the whole or any part of a person's reasonable travelling expenses;
 - (d) the payment of allowances in respect of the use of particular modes of travel.
- (3) "Learners" means persons who receive education or training.
- (4) The following are "relevant places"—
 - (a) maintained schools;
 - (b) institutions in the further education sector;
 - (c) independent schools named in statements maintained under section 324 of the Education Act 1996 (c.56);
 - (d) non-maintained special schools;
 - (e) pupil referral units;
 - (f) places other than pupil referral units where education is arranged under section 19(1) of the Education Act 1996;

- (g) mannau lle y darperir addysg neu hyfforddiant a gyllidir gan Weinidogion Cymru o dan adran 34(1) o Ddeddf Dysgu a Medrau 2000 (p.21);
- (h) sefydliadau lle y sicrhawyd addysg a hyfforddiant a llety byrddio gan Weinidogion Cymru o dan adran 41 o Ddeddf Dysgu a Medrau 2000;
- (i) mannau lle y darperir addysg feithrin—
 - (i) gan awdurdod lleol, neu
 - (ii) gan unrhyw berson arall sy'n cael cymorth ariannol a roddir gan awdurdod lleol o dan drefniadau a wneir gan awdurdod lleol yn unol â'r ddyletswydd a osodir gan adran 118 o Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31);
- (j) mannau lle yr ymgwymerir â phrofiad gwaith.

Trefniadau teithio i ddysgwyr

2 Dyletswydd i asesu anghenion teithio dysgwyr

- (1) Mae'r adran hon yn gymwys mewn perthynas â—
 - (a) dysgwyr nad ydynt eto'n 19 oed;
 - (b) dysgwyr sydd wedi cyrraedd 19 oed ac sydd wedi cychwyn ar gwrs addysg neu hyfforddiant cyn cyrraedd yr oedran hwnnw ac sy'n parhau i fynychu'r cwrs hwnnw;
 - (c) y cyfryw ddysgwyr eraill ag a ragnodir.
- (2) Ym mhob blwyddyn academaidd, rhaid i awdurdod lleol asesu anghenion teithio dysgwyr ei ardal ar gyfer y flwyddyn academaidd ganlynol. Ond mae'r ddyletswydd hon yn ddarostyngedig i ddarpariaethau adran 5.
- (3) At ddibenion is-adran (2), anghenion dysgwyr sy'n preswyllo fel arfer yn ardal yr awdurdod am gael trefniadau teithio addas bob dydd i'r mannau perthnasol lle y maent yn cael addysg neu hyfforddiant ac oddi yno yw "anghenion teithio dysgwyr" ardal awdurdod lleol.
- (4) Wrth wneud asesiad o dan is-adran (2) rhaid i awdurdod lleol roi sylw yn benodol i—
 - (a) anghenion dysgwyr sy'n bersonau anabl,
 - (b) anghenion dysgwyr a chanddynt anawsterau dysgu,
 - (c) anghenion dysgwyr sy'n blant ac sy'n derbyn gofal, neu a fu gynt yn derbyn gofal, gan awdurdod lleol,
 - (d) oed dysgwyr, ac
 - (e) natur y ffyrdd y gellid yn rhesymol ddisgwyl i ddysgwyr eu dilyn i'r mannau perthnasol lle y maent yn cael addysg neu hyfforddiant.

3 Dyletswydd awdurdod lleol i wneud trefniadau cludo

- (1) Mae'r adran hon yn gymwys mewn perthynas â phlentyn o oedran ysgol gorfodol—
 - (a) os yw'r plentyn yn preswyllo fel arfer mewn ardal awdurdod lleol,

- (g) places where education or training funded by the Welsh Ministers under section 34(1) of the Learning and Skills Act 2000 (c.21) is provided;
- (h) institutions where education and training and boarding accommodation have been secured by the Welsh Ministers under section 41 of the Learning and Skills Act 2000;
- (i) places where nursery education is provided—
 - (i) by a local authority, or
 - (ii) by any other person who is in receipt of financial assistance given by a local authority under arrangements made by them in pursuance of the duty imposed by section 118 of the School Standards and Framework Act 1998 (c.31);
- (j) places where work experience is undertaken.

Learner travel arrangements

2 Duty to assess learner travel needs

- (1) This section applies in relation to—
 - (a) learners who have not attained the age of 19;
 - (b) learners who have attained the age of 19 who have begun a course of education or training before attaining that age and continue to attend that course;
 - (c) such other learners as may be prescribed.
- (2) In each academic year, a local authority must assess the learner travel needs of their area for the following academic year. But this duty is subject to the provisions of section 5.
- (3) For the purposes of subsection (2), the "learner travel needs" of a local authority's area are the needs of learners who are ordinarily resident in the authority's area for suitable travel arrangements each day to and from the relevant places where they receive education or training.
- (4) In making an assessment under subsection (2) a local authority must have regard in particular to—
 - (a) the needs of learners who are disabled persons,
 - (b) the needs of learners with learning difficulties,
 - (c) the needs of learners who are children looked after, or formerly looked after, by a local authority,
 - (d) the age of learners, and
 - (e) the nature of the routes which learners could reasonably be expected to take to the relevant places where they receive education or training.

3 Local authority duty to make transport arrangements

- (1) This section applies in relation to a child of compulsory school age if—
 - (a) the child is ordinarily resident in a local authority's area,

- (b) os yw'r amgylchiadau a nodir mewn cofnod yng ngholofn 1 y tabl canlynol yn gymwys i'r plentyn, ac
- (c) os bodlonir yr amod, neu'r holl amodau, a nodir yn y cofnod cyfatebol yng ngholofn 2 y tabl mewn perthynas â'r plentyn.
- (2) Rhaid i'r awdurdod lleol wneud trefniadau cludo addas i hwyluso'r ffordd i'r plentyn fynychu bob dydd y manau perthnasol lle y mae'r plentyn yn cael addysg neu hyfforddiant. Ond mae'r ddyletswydd hon yn ddarostyngedig i ddarpariaethau adran 5.

TABL

Colofn 1 Amgylchiadau	Colofn 2 Amod(au)
<p>Mae'r plentyn yn cael addysg gynradd mewn—</p> <p>(a) ysgol a gynhelir,</p> <p>(b) uned cyfeirio disgyblion,</p> <p>(c) ysgol annibynnol a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996, neu</p> <p>(d) ysgol arbennig nas cynhelir,</p> <p>lle y mae'r plentyn yn ddisgybl cofrestredig.</p>	<p>(a) Mae'r plentyn yn preswyllo fel arfer mewn man sydd 2 filltir (3.218688 o gilometrau) neu fwy o'r ysgol neu'r uned.</p> <p>(b) Nid oes trefniadau wedi eu gwneud gan yr awdurdod lleol i alluogi'r plentyn i ddod yn ddisgybl cofrestredig mewn—</p> <p>(i) ysgol a gynhelir sy'n ysgol addas,</p> <p>(ii) uned cyfeirio disgyblion sy'n uned addas,</p> <p>(iii) ysgol annibynnol a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996, neu</p> <p>(iv) ysgol arbennig nas cynhelir sy'n ysgol addas,</p> <p>ac sy'n nes at y man lle y mae'r plentyn yn preswyllo fel arfer.</p> <p>(c) Nid oes trefniadau wedi eu gwneud gan yr awdurdod lleol ar gyfer llety byrddio addas i'r plentyn yn yr ysgol neu'r uned neu'n agos at yr ysgol neu'r uned.</p>
<p>Mae'r plentyn yn cael addysg uwchradd mewn—</p> <p>(a) ysgol a gynhelir,</p> <p>(b) uned cyfeirio disgyblion,</p>	<p>(a) Mae'r plentyn yn preswyllo fel arfer mewn man sydd 3 milltir (4.828032 o gilometrau) neu fwy o'r ysgol neu'r uned.</p>

- (b) the circumstances set out in an entry in column 1 of the following table apply to the child, and
- (c) the condition, or all of the conditions, set out in the corresponding entry in column 2 of the table are met in relation to the child.
- (2) The local authority must make suitable transport arrangements to facilitate the attendance of the child each day at the relevant places where the child receives education or training. But this duty is subject to the provisions of section 5.

TABLE

Column 1 Circumstances	Column 2 Condition(s)
<p>The child is receiving primary education at—</p> <p>(a) a maintained school,</p> <p>(b) a pupil referral unit,</p> <p>(c) an independent school named in a statement maintained for the child under section 324 of the Education Act 1996, or</p> <p>(d) a non-maintained special school,</p> <p>at which the child is a registered pupil.</p>	<p>(a) The child is ordinarily resident at a place 2 miles (3.218688 kilometres) or more from the school or unit.</p> <p>(b) No arrangements have been made by the local authority for enabling the child to become a registered pupil at—</p> <p>(i) a suitable maintained school,</p> <p>(ii) a suitable pupil referral unit,</p> <p>(iii) an independent school named in a statement maintained for the child under section 324 of the Education Act 1996, or</p> <p>(iv) a suitable non maintained special school,</p> <p>nearer to the place where the child is ordinarily resident.</p> <p>(c) No arrangements have been made by the local authority for suitable boarding accommodation for the child at or near the school or unit.</p>
<p>The child is receiving secondary education at—</p> <p>(a) a maintained school,</p> <p>(b) a pupil referral unit,</p>	<p>(a) The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the school or unit.</p>

<p>(c) ysgol annibynnol a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996, neu</p> <p>(d) ysgol arbennig nas cynhelir, lle y mae'r plentyn yn ddisgybl cofrestredig.</p>	<p>(b) Nid oes trefniadau wedi eu gwneud gan yr awdurdod lleol i alluogi'r plentyn i ddod yn ddisgybl cofrestredig mewn—</p> <p>(i) ysgol a gynhelir sy'n ysgol addas,</p> <p>(ii) uned cyfeirio disgyblion sy'n uned addas,</p> <p>(iii) ysgol annibynnol a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996, neu</p> <p>(iv) ysgol arbennig nas cynhelir sy'n ysgol addas, ac sy'n nes at y man lle y mae'r plentyn yn preswyllo fel arfer.</p> <p>(c) Nid oes trefniadau wedi eu gwneud gan yr awdurdod lleol ar gyfer llety byrddio addas i'r plentyn yn yr ysgol neu'r uned neu'n agos at yr ysgol neu'r uned.</p>
<p>Mae'r plentyn yn cael addysg neu hyfforddiant mewn sefydliad yn y sector addysg bellach lle y mae'r plentyn wedi ymrestru fel myfyriwr llawnamser.</p>	<p>(a) Mae'r plentyn yn preswyllo fel arfer mewn man sydd 3 milltir (4.828032 o gilometrau) neu fwy o'r sefydliad.</p> <p>(b) Nid oes trefniadau wedi eu gwneud gan yr awdurdod lleol i alluogi'r plentyn i ymrestru mewn sefydliad addas sy'n nes at y man lle y mae'r plentyn yn preswyllo fel arfer.</p>
<p>Mae'r plentyn—</p> <p>(a) yn ddisgybl cofrestredig mewn ysgol a gynhelir, a</p> <p>(b) yn cael addysg uwchradd mewn man perthnasol ac eithrio'r ysgol honno.</p> <p>Addysg sydd wedi ei threfnu gan y canlynol yw'r addysg uwchradd y cyfeirir ati ym mharagraff (b)—</p> <p>(i) gan yr awdurdod lleol, neu</p>	<p>Mae'r plentyn yn preswyllo fel arfer mewn man sydd 3 milltir (4.828032 o gilometrau) neu fwy o'r man perthnasol.</p>

<p>(c) an independent school named in a statement maintained for the child under section 324 of the Education Act 1996, or</p> <p>(d) a non-maintained special school,</p> <p>at which the child is a registered pupil.</p>	<p>(b) No arrangements have been made by the local authority for enabling the child to become a registered pupil at –</p> <p>(i) a suitable maintained school,</p> <p>(ii) a suitable pupil referral unit,</p> <p>(iii) an independent school named in a statement maintained for the child under section 324 of the Education Act 1996, or</p> <p>(iv) a suitable non-maintained special school,</p> <p>nearer to the place where the child is ordinarily resident.</p> <p>(c) No arrangements have been made by the local authority for suitable boarding accommodation for the child at or near the school or unit.</p>
<p>The child is receiving education or training at an institution in the further education sector at which the child is enrolled as a full-time student.</p>	<p>(a) The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the institution.</p> <p>(b) No arrangements have been made by the local authority for enabling the child to become enrolled at a suitable institution nearer to the place where the child is ordinarily resident.</p>
<p>The child –</p> <p>(a) is a registered pupil at a maintained school, and</p> <p>(b) receives secondary education at a relevant place other than that school.</p> <p>The secondary education referred to in paragraph (b) is education arranged –</p> <p>(i) by the local authority, or</p>	<p>The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the relevant place.</p>

(ii) gan gorff llywodraethu yr ysgol lle y mae'r plentyn yn ddisgybl cofrestredig, neu ar ran y corff llywodraethu.	
<p>Mae'r plentyn yn derbyn gofal gan awdurdod lleol ac mae'n cael addysg gynradd mewn—</p> <p>(a) ysgol a gynhelir,</p> <p>(b) uned cyfeirio disgyblion,</p> <p>(c) ysgol annibynnol a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996, neu</p> <p>(d) ysgol arbennig nas cynhelir,</p> <p>lle y mae'r plentyn yn ddisgybl cofrestredig.</p>	<p>Mae'r plentyn yn preswyllo fel arfer mewn man sydd 2 filltir (3.218688 o gilometrau) neu fwy o'r ysgol neu'r uned.</p>
<p>Mae'r plentyn yn derbyn gofal gan awdurdod lleol ac mae'n cael addysg uwchradd mewn—</p> <p>(a) ysgol a gynhelir,</p> <p>(b) uned cyfeirio disgyblion,</p> <p>(c) ysgol annibynnol a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996, neu</p> <p>(d) ysgol arbennig nas cynhelir,</p> <p>lle y mae'r plentyn yn ddisgybl cofrestredig.</p>	<p>Mae'r plentyn fel arfer yn preswyllo mewn man sydd 3 milltir (4.828032 o gilometrau) neu fwy o'r ysgol neu'r uned.</p>

- (3) Rhaid i'r awdurdod lleol beidio â chodi tâl ar blentyn neu riant sy'n unigolyn am unrhyw drefniadau cludo a wneir yn unol â'r adran hon.
- (4) Caiff trefniadau cludo a wneir yn unol â'r adran hon gynnwys-
- (a) darparu cludiant;
 - (b) talu'r cyfan, ond nid rhan, o dreuliau cludo plentyn.
- (5) At ddibenion is-adran (2), nid yw trefniadau cludo'n addas-
- (a) os ydynt yn peri lefelau afresymol o straen i'r plentyn,
 - (b) os ydynt yn cymryd amser afresymol o hir, neu
 - (c) os nad ydynt yn ddiogel.

(ii) by, or on behalf of, the governing body of the school at which the child is a registered pupil.	
<p>The child is looked after by a local authority and is receiving primary education at—</p> <p>(a) a maintained school,</p> <p>(b) a pupil referral unit,</p> <p>(c) an independent school named in a statement maintained for the child under section 324 of the Education Act 1996, or</p> <p>(d) a non-maintained special school,</p> <p>at which the child is a registered pupil.</p>	<p>The child is ordinarily resident at a place 2 miles (3.218688 kilometres) or more from the school or unit.</p>
<p>The child is looked after by a local authority and is receiving secondary education at—</p> <p>(a) a maintained school,</p> <p>(b) a pupil referral unit,</p> <p>(c) an independent school named in a statement maintained for the child under section 324 of the Education Act 1996, or</p> <p>(d) a non-maintained special school,</p> <p>at which the child is a registered pupil.</p>	<p>The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the school or unit.</p>

- (3) The local authority must not charge a child or a parent who is an individual for any transport arrangements made in accordance with this section.
- (4) Transport arrangements made in accordance with this section may include—
- (a) the provision of transport;
 - (b) the payment of the whole, but not part, of a child's transport expenses.
- (5) For the purposes of subsection (2), transport arrangements are not suitable if—
- (a) they cause unreasonable levels of stress for the child,
 - (b) they take an unreasonable amount of time, or
 - (c) they are unsafe.

- (6) At ddibenion pob paragraff (b) yn ail golofn y tabl yn yr adran hon, mae'r ysgol, yr uned neu'r sefydliad yn addas i'r plentyn os yw'r addysg neu'r hyfforddiant a ddarperir yno yn addas, o ystyried oed, gallu a doniau'r plentyn ac unrhyw anawsterau dysgu a all fod ganddo.
- (7) Mae'r pellteroedd a grybwyllir yng ngholofn 2 y tabl yn yr adran hon i'w mesur ar hyd y ffordd fyrraf sydd ar gael.
- (8) Mae ffordd "ar gael" at ddibenion is-adran (7) –
 - (a) os yw'n ddiogel i blentyn heb anabled neu anhawster dysgu gerdded y ffordd ar ei ben ei hun, neu
 - (b) os yw'n ddiogel i'r cyfryw blentyn gerdded y ffordd gyda hebryngwr, pe byddai oed y plentyn yn galw am ddarparu hebryngwr.
- (9) Caiff rheoliadau bennu amgylchiadau ac amodau at ddibenion paragraffau (b) ac (c) o is-adran (1); caiff y cyfryw reoliadau ddiwygio'r tabl neu ddiwygio is-adrannau (6), (7) ac (8) (gan gynnwys diddymu cofnod yn y tabl neu yn yr is-adrannau hynny).

4 Dyletswydd awdurdod lleol i wneud trefniadau teithio eraill

- (1) Mae'r adran hon yn gymwys mewn perthynas â phlentyn o oedran ysgol gorfodol –
 - (a) os yw'r plentyn yn cael addysg neu hyfforddiant mewn man perthnasol,
 - (b) os yw'r plentyn yn preswyllo fel arfer mewn ardal awdurdod lleol, ac
 - (c) os yw'r awdurdod lleol o'r farn bod angen trefniadau teithio er mwyn hwyluso'r ffordd i'r plentyn fynychu bob dydd y man perthnasol lle y mae'r plentyn yn cael addysg neu hyfforddiant.
- (2) Rhaid i'r awdurdod lleol wneud trefniadau teithio addas i hwyluso'r ffordd i'r plentyn fynychu bob dydd y manau perthnasol lle y mae'r plentyn yn cael addysg neu hyfforddiant. Ond mae'r ddyletswydd hon yn ddarostyngedig i ddarpariaethau adran 5.
- (3) Rhaid i awdurdod lleol beidio â chodi tâl ar blentyn neu riant sy'n unigolyn am unrhyw drefniadau teithio a wneir yn unol ag is-adran (2).
- (4) Caiff trefniadau teithio a wneir yn unol ag is-adran (2) gynnwys talu'r cyfan, ond nid rhan, o dreuliau teithio plentyn.
- (5) Wrth ystyried a yw trefniadau teithio yn addas at ddibenion yr adran hon, rhaid i awdurdod lleol roi sylw'n benodol –
 - (a) i'r asesiad a wneir ganddo yn unol ag adran 2(2);
 - (b) i'r trefniadau cludo y mae dyletswydd arno i'w gwneud ar gyfer y plentyn o dan adran 3;
 - (c) i oed y plentyn;
 - (d) i unrhyw anabled neu anhawster dysgu sydd gan y plentyn;
 - (e) i natur y ffyrdd y gellid yn rhesymol ddisgwyl i'r plentyn eu dilyn.
- (6) At ddibenion yr adran hon nid yw trefniadau teithio'n addas –
 - (a) os ydynt yn peri lefelau afresymol o straen i'r plentyn,
 - (b) os ydynt yn cymryd amser afresymol o hir, neu

- (6) For the purposes of each paragraph (b) in the second column of the table in this section, the school, unit or institution is suitable for the child if the education or training provided there is suitable, having regard to the age, ability and aptitudes of the child and any learning difficulties he or she may have.
- (7) The distances mentioned in column 2 of the table in this section are to be measured by the shortest available route.
- (8) A route is "available" for the purposes of subsection (7) if—
 - (a) it is safe for a child without a disability or learning difficulty to walk the route alone, or
 - (b) it is safe for such a child to walk the route with an escort, if the age of the child would call for the provision of an escort.
- (9) Regulations may prescribe circumstances and conditions for the purposes of paragraphs (b) and (c) of subsection (1); such regulations may amend the table or subsections (6), (7) and (8) (including repealing an entry in the table or those subsections).

4 Local authority duty to make other travel arrangements

- (1) This section applies in relation to a child of compulsory school age if—
 - (a) the child is receiving education or training at a relevant place,
 - (b) the child is ordinarily resident in a local authority's area, and
 - (c) the local authority consider that travel arrangements are necessary to facilitate the attendance of the child each day at the relevant place where the child receives education or training.
- (2) The local authority must make suitable travel arrangements to facilitate the attendance of the child each day at the relevant places where the child receives education or training. But this duty is subject to the provisions of section 5.
- (3) A local authority must not charge a child or a parent who is an individual for any travel arrangements made in accordance with subsection (2).
- (4) Travel arrangements made in accordance with subsection (2) may include the payment of the whole, but not part, of a child's travel expenses.
- (5) In considering whether travel arrangements are suitable for the purposes of this section, a local authority must have regard in particular to—
 - (a) the assessment they carry out in accordance with section 2(2);
 - (b) the transport arrangements they are under a duty to make for the child under section 3;
 - (c) the age of the child;
 - (d) any disability or learning difficulty of the child;
 - (e) the nature of the routes which the child could reasonably be expected to take.
- (6) For the purposes of this section, travel arrangements are not suitable if—
 - (a) they cause unreasonable levels of stress for the child,
 - (b) they take an unreasonable amount of time, or

- (c) os nad ydynt yn ddiogel.
- (7) Wrth ystyried a yw trefniadau teithio'n angenrheidiol at ddibenion yr adran hon—
- (a) rhaid i awdurdod lleol roi sylw'n benodol i'r materion a bennir yn is-adran (5);
- (b) caiff awdurdod lleol roi sylw'n benodol i ba un a yw'r plentyn yn mynychu'r man perthnasol addas agosaf at fan preswyl arferol y plentyn ai peidio.
- (8) Mae is-adran (7)(b) yn gymwys—
- (a) os nad yw'r plentyn yn derbyn gofal gan awdurdod lleol, a
- (b) os yw trefniadau wedi eu gwneud gan yr awdurdod lleol i alluogi'r plentyn i fynychu man perthnasol addas sy'n nes at fan preswyl arferol y plentyn.
- (9) At ddibenion yr adran hon, mae man perthnasol yn addas i blentyn os yw'r addysg neu'r hyfforddiant a ddarperir yno yn addas, o ystyried oed, gallu a doniau'r plentyn ac unrhyw anawsterau dysgu a all fod ganddo.

5 Terfynau dyletswyddau sy'n ymwneud â theithio gan ddysgwyr

Nid yw adran 2 yn ei gwneud yn ofynnol i asesu anghenion teithio dysgwyr ac nid yw adrannau 3 a 4 yn ei gwneud yn ofynnol i wneud trefniadau teithio—

- (a) er mwyn i ddysgwyr deithio yn ystod y dydd rhwng manau perthnasol neu rhwng gwahanol safleoedd yr un sefydliad, neu
- (b) at unrhyw ddiben ac eithrio mynychu man perthnasol i gael addysg neu hyfforddiant.

6 Pŵer awdurdodau lleol i wneud trefniadau teithio i ddysgwyr

- (1) Mae'r adran hon yn gymwys mewn perthynas â dysgwr—
- (a) os yw'r dysgwr yn preswyl fel arfer yn ardal yr awdurdod lleol, neu
- (b) os yw'r dysgwr yn cael addysg neu hyfforddiant yn ardal yr awdurdod lleol.
- (2) Caiff yr awdurdod lleol wneud trefniadau teithio i hwyluso'r ffordd i'r dysgwr fynychu man lle y mae'r person hwnnw'n cael addysg neu hyfforddiant.
- (3) Caiff awdurdod lleol godi tâl am drefniadau teithio a wneir o dan yr adran hon ar gyfer disgyblion cofrestredig o oedran ysgol gorfodol yn unol â darpariaethau adrannau 455 a 456 o Ddeddf Addysg 1996.
- (4) Caiff awdurdod lleol godi tâl am drefniadau teithio a wneir o dan yr adran hon ar gyfer dysgwyr eraill.

7 Trefniadau teithio i ddysgwyr mewn addysg neu hyfforddiant ôl-16

- (1) Mae'r adran hon yn gymwys mewn perthynas â dysgwyr sy'n preswyl fel arfer yng Nghymru a'r rheini—
- (a) yn ddysgwyr—
- (i) sydd dros oedran ysgol gorfodol ond heb fod eto'n 19 oed, neu
- (ii) sydd wedi cyrraedd 19 oed ac wedi cychwyn ar gwrs addysg neu hyfforddiant penodol cyn cyrraedd yr oedran hwnnw ac sy'n parhau i fynychu'r cwrs hwnnw; a

- (c) they are unsafe.
- (7) In considering whether travel arrangements are necessary for the purposes of this section a local authority –
 - (a) must have regard in particular to the matters specified in subsection (5);
 - (b) may have regard in particular to whether or not the child is attending the nearest suitable relevant place to the child's place of ordinary residence.
- (8) Subsection (7)(b) applies if –
 - (a) the child is not looked after by a local authority, and
 - (b) arrangements have been made by the local authority for enabling the child to attend a suitable relevant place nearer to the child's place of ordinary residence.
- (9) For the purposes of this section, a relevant place is suitable for a child if the education or training provided there is suitable, having regard to the age, ability and aptitudes of the child and any learning difficulties he or she may have.

5 Limits of learner travel duties

Section 2 does not require the assessment of learner travel needs and sections 3 and 4 do not require the making of travel arrangements –

- (a) for learners to travel during the day between relevant places or between different sites of the same institution, or
- (b) for any purpose other than attendance at a relevant place to receive education or training.

6 Power of local authorities to make learner travel arrangements

- (1) This section applies in relation to a learner if –
 - (a) the learner is ordinarily resident in the local authority's area, or
 - (b) the learner receives education or training in the local authority's area.
- (2) The local authority may make travel arrangements to facilitate the attendance of the learner at a place where that person receives education or training.
- (3) A local authority may charge for travel arrangements made under this section for registered pupils of compulsory school age in accordance with the provisions of sections 455 and 456 of the Education Act 1996.
- (4) A local authority may charge for travel arrangements made under this section for other learners.

7 Travel arrangements for learners in post-16 education or training

- (1) This section applies in relation to learners ordinarily resident in Wales –
 - (a) who –
 - (i) are over compulsory school age but have not attained the age of 19, or
 - (ii) have attained the age of 19 and have begun a particular course of education or training before attaining that age and continue to attend that course; and

- (b) yn ddysgwyr sy'n cael addysg neu hyfforddiant –
 - (i) mewn man yng Nghymru, neu
 - (ii) a gyllidir gan Weinidogion Cymru mewn man y tu allan i Gymru.
- (2) Caiff rheoliadau wneud darpariaeth ynghylch trefniadau teithio i ddysgwyr i'r manau lle y maent yn cael addysg neu hyfforddiant ac oddi yno.
- (3) Caiff y rheoliadau yn benodol –
 - (a) rhoi pŵerau i'r canlynol neu osod dyletswyddau arnynt –
 - (i) Gweinidogion Cymru;
 - (ii) awdurdodau lleol;
 - (iii) sefydliadau yn y sector addysg bellach;
 - (b) pennu'r mathau o fan y caniateir, neu y mae'n rhaid, gwneud trefniadau teithio i fynd yno ac oddi yno;
 - (c) pennu'r trefniadau teithio y caniateir, neu y mae'n rhaid, eu gwneud;
 - (d) pennu'r materion y mae'n rhaid rhoi ystyriaeth iddynt wrth wneud penderfyniadau am drefniadau teithio;
 - (e) gwneud darpariaeth ynghylch codi tâl;
 - (f) ei gwneud yn ofynnol i unrhyw berson roi unrhyw wybodaeth neu gymorth arall y mae'n rhesymol bod ei hangen neu ei angen ar unrhyw berson arall mewn cysylltiad â chyflawni swyddogaethau'r person arall o dan y rheoliadau;
 - (g) gwneud darpariaeth ynghylch y safonau ymddygiad y mae'n ofynnol i ddysgwyr eu harddel tra byddant yn teithio i'r manau lle y maent yn cael addysg neu hyfforddiant neu o'r manau hynny.

8 Trefniadau teithio i fan lle y darperir addysg feithrin ac oddi yno

- (1) Caiff rheoliadau wneud darpariaeth ynghylch trefniadau teithio i blant o dan oedran ysgol gorfodol i'r manau lle y maent yn cael addysg feithrin ac oddi yno.
- (2) Caiff y rheoliadau'n benodol –
 - (a) ei gwneud yn ofynnol i awdurdod lleol wneud trefniadau teithio;
 - (b) caniatáu i awdurdod lleol wneud trefniadau teithio;
 - (c) pennu'r mathau o fan y caniateir gwneud, neu y mae'n rhaid gwneud, trefniadau teithio yno ac oddi yno;
 - (d) pennu'r trefniadau teithio y caniateir, neu y mae'n rhaid, eu gwneud;
 - (e) pennu'r materion y mae'n rhaid eu hystyried wrth wneud penderfyniadau am drefniadau teithio;
 - (f) gwneud darpariaeth ynghylch codi tâl;
 - (g) ei gwneud yn ofynnol i unrhyw berson roi unrhyw wybodaeth neu gymorth arall y mae'n rhesymol bod ei hangen neu ei angen ar yr awdurdod lleol mewn cysylltiad â chyflawni swyddogaethau'r awdurdod o dan y rheoliadau.

- (b) who receive education or training –
 - (i) at a place in Wales, or
 - (ii) which is funded by the Welsh Ministers at a place outside Wales.
- (2) Regulations may make provision about travel arrangements for learners to and from the places where they receive education or training.
- (3) The regulations may in particular –
 - (a) confer powers or impose duties on the following –
 - (i) the Welsh Ministers;
 - (ii) local authorities;
 - (iii) institutions in the further education sector;
 - (b) specify the kinds of place to and from which travel arrangements may or must be made;
 - (c) specify the travel arrangements that may or must be made;
 - (d) specify the matters that must be taken into account in making decisions about travel arrangements;
 - (e) make provision about charges;
 - (f) require any person to give any information or other assistance that is reasonably required by any other person in connection with the performance of the other person's functions under the regulations;
 - (g) make provision about the standards of behaviour required of learners while travelling to and from the places where they receive education or training.

8 Travel arrangements to and from nursery education

- (1) Regulations may make provision about travel arrangements for children under compulsory school age to and from the places where they receive nursery education.
- (2) The regulations may in particular –
 - (a) require a local authority to make travel arrangements;
 - (b) permit a local authority to make travel arrangements;
 - (c) specify the kinds of place to and from which travel arrangements may or must be made;
 - (d) specify the travel arrangements that may or must be made;
 - (e) specify the matters that must be taken into account in making decisions about travel arrangements;
 - (f) make provision about charges;
 - (g) require any person to give any information or other assistance that is reasonably required by the local authority in connection with the performance of the authority's functions under the regulations.

9 Trefniadau teithio i ddysgwyr a'r rheini'n drefniadau nad ydynt i ffafrio mathau penodol o addysg neu hyfforddiant

- (1) Mae'r adran hon yn gymwys os gwneir trefniadau o dan adran 3, adran 4 neu adran 6 mewn cysylltiad â dysgwyr o fath a ddisgrifir mewn cofnod yng ngholofn 1 y tabl a ganlyn.
- (2) Rhaid gwneud trefniadau hefyd yn unol â'r adrannau hynny mewn cysylltiad â'r dysgwyr o fath a ddisgrifir yn y cofnod cyfatebol yng ngholofn 2 y tabl.
- (3) Rhaid i'r trefniadau y cyfeirir atynt yn is-adran (2) beidio â bod yn llai ffafriol na'r trefniadau y cyfeirir atynt yn is-adran (1).

TABL

Colofn 1	Colofn 2
Plant o oedran ysgol gorfodol sy'n cael addysg neu hyfforddiant mewn ysgolion a gynhelir.	Plant yr un oed sy'n cael addysg neu hyfforddiant mewn mannau perthnasol eraill.
Dysgwyr sydd dros yr oedran ysgol gorfodol ac sy'n cael addysg llawnamser neu hyfforddiant llawnamser mewn ysgolion a gynhelir.	Dysgwyr yr un oed sy'n cael addysg llawnamser neu hyfforddiant llawnamser mewn mannau perthnasol eraill.
Dysgwyr a chanddynt anawsterau dysgu sy'n cael addysg neu hyfforddiant mewn ysgolion a gynhelir.	Dysgwyr yr un oed a chanddynt anawsterau dysgu sy'n cael addysg neu hyfforddiant mewn mannau perthnasol eraill.
Dysgwyr a chanddynt anabledd sy'n cael addysg neu hyfforddiant mewn ysgolion a gynhelir.	Dysgwyr yr un oed a chanddynt anabledd sy'n cael addysg neu hyfforddiant mewn mannau perthnasol eraill.
Plant sy'n derbyn gofal gan awdurdod lleol ac sy'n cael addysg neu hyfforddiant mewn ysgolion a gynhelir.	Plant yr un oed sy'n derbyn gofal gan awdurdod lleol ac sy'n cael addysg neu hyfforddiant mewn mannau perthnasol eraill.

Hybu mynediad i addysg cyfrwng Cymraeg

10 Hybu mynediad i addysg a hyfforddiant drwy gyfrwng y Gymraeg

Rhaid i bob awdurdod lleol a Gweinidogion Cymru hybu mynediad i addysg a hyfforddiant drwy gyfrwng y Gymraeg pan fyddant yn arfer swyddogaethau o dan y Mesur hwn.

9 Learner travel arrangements not to favour certain types of education or training

- (1) This section applies if arrangements under section 3, 4, or 6 are made in respect of learners of a description set out in an entry in column 1 of the following table.
- (2) Arrangements must also be made in accordance with those sections in respect of the learners of the description set out in the corresponding entry in column 2 of the table.
- (3) The arrangements referred to in subsection (2) must be no less favourable than the arrangements referred to in subsection (1).

TABLE

Column 1	Column 2
Children of compulsory school age receiving education or training at maintained schools.	Children of the same age receiving education or training at other relevant places.
Learners over compulsory school age receiving full-time education or training at maintained schools.	Learners of the same age receiving full-time education or training at other relevant places.
Learners with learning difficulties receiving education or training at maintained schools.	Learners of the same age with learning difficulties receiving education or training at other relevant places.
Learners who have a disability receiving education or training at maintained schools.	Learners of the same age who have a disability receiving education or training at other relevant places.
Children looked after by a local authority receiving education or training at maintained schools.	Children of the same age who are looked after by a local authority receiving education or training at other relevant places.

*Promoting access to Welsh medium education***10 Promoting access to education and training through the medium of the Welsh language**

Each local authority and the Welsh Ministers must promote access to education and training through the medium of the Welsh language when exercising functions under this Measure.

*Dulliau teithio cynaliadwy***11 Dulliau teithio cynaliadwy**

- (1) Rhaid i bob awdurdod lleol a Gweinidogion Cymru hybu'r defnydd o ddulliau teithio cynaliadwy pan fyddant yn arfer swyddogaethau o dan y Mesur hwn.
- (2) Dulliau teithio yw "dulliau teithio cynaliadwy" y mae'r awdurdod neu Weinidogion Cymru (yn ôl y digwydd) o'r farn eu bod yn ddulliau a all wella'r naill beth a ganlyn neu'r llall neu'r naill beth a ganlyn a'r llall sef –
 - (a) llesiant corfforol y rhai sy'n eu defnyddio;
 - (b) llesiant amgylchedd –
 - (i) ardal gyfan yr awdurdod lleol neu ran ohoni, yn achos awdurdod, neu
 - (ii) Cymru gyfan neu ran ohoni, yn achos Gweinidogion Cymru.

*Cod ymddygiad wrth deithio***12 Cod ymddygiad wrth deithio**

- (1) Rhaid i Weinidogion Cymru lunio cod ymddygiad wrth deithio.
- (2) Cod yw cod ymddygiad wrth deithio sy'n nodi'r safonau ymddygiad y mae'n ofynnol i ddysgwyr y mae is-adran (3) yn gymwys iddynt eu harddel tra byddant yn teithio i'r manau perthnasol lle y maent yn cael addysg neu hyfforddiant ac oddi yno (pa un a ydynt yn manteisio ar drefniadau teithio a wneir gan awdurdod lleol ai peidio).
- (3) Mae'r is-adran hon yn gymwys –
 - (a) i ddysgwyr nad ydynt eto'n 19 oed;
 - (b) i ddysgwr sydd wedi cyrraedd 19 oed ac wedi cychwyn ar gwrs addysg neu hyfforddiant cyn cyrraedd yr oedran hwnnw ac sy'n parhau i fynychu'r cwrs hwnnw;
 - (c) i'r cyfryw ddysgwyr eraill ag a ragnodir.
- (4) O bryd i'w gilydd, rhaid i Weinidogion Cymru adolygu'r cod ymddygiad wrth deithio.
- (5) Rhaid i Weinidogion Cymru gyhoeddi'r cod.
- (6) Cyn llunio cod neu ei adolygu rhaid i Weinidogion Cymru ymgynghori â'r cyfryw bersonau ag y maent o'r farn eu bod yn briodol.

13 Gorfodi cod ymddygiad wrth deithio: disgyblion mewn ysgolion perthnasol

- (1) Diwygir adran 89 o Ddeddf Addysg ac Arolygiadau 2006 fel a ganlyn.
- (2) Yn is-adran (2), ar ôl "The head teacher" mewnosoder "of a relevant school in England".
- (3) Ar ôl is-adran (2) mewnosoder –
 - "(2A) The head teacher of a relevant school in Wales must in determining such measures –
 - (a) act in accordance with the current statement made by the governing body under section 88(2)(a),

*Sustainable modes of travel***11 Sustainable modes of travel**

- (1) Each local authority and the Welsh Ministers must promote the use of sustainable modes of travel when exercising functions under this Measure.
- (2) "Sustainable modes of travel" are modes of travel which the authority or the Welsh Ministers (as the case may be) consider may improve either or both of the following—
 - (a) the physical well-being of those who use them;
 - (b) the environmental well-being of—
 - (i) the whole or part of the local authority's area, in the case of an authority, or
 - (ii) the whole or part of Wales, in the case of the Welsh Ministers.

*Travel behaviour code***12 Travel behaviour code**

- (1) The Welsh Ministers must make a travel behaviour code.
- (2) A travel behaviour code is a code setting out the standards of behaviour required of learners to whom subsection (3) applies while they are travelling to and from the relevant places where they receive education or training (whether or not they take advantage of travel arrangements made by a local authority).
- (3) This subsection applies to—
 - (a) learners who have not attained the age of 19;
 - (b) learners who have attained the age of 19 who have begun a course of education or training before attaining that age and continue to attend that course;
 - (c) such other learners as may be prescribed.
- (4) The Welsh Ministers must review the travel behaviour code from time to time.
- (5) The Welsh Ministers must publish the code.
- (6) Before making or revising a code the Welsh Ministers must consult such persons as they consider appropriate.

13 Enforcement of travel behaviour code: pupils at relevant schools

- (1) Section 89 of the Education and Inspections Act 2006 is amended as follows.
- (2) In subsection (2), after "The head teacher" insert "of a relevant school in England".
- (3) After subsection (2) insert—
 - "(2A) The head teacher of a relevant school in Wales must in determining such measures—
 - (a) act in accordance with the current statement made by the governing body under section 88(2)(a),

- (b) have regard to any notification or guidance given to him under section 88(2)(b), and
 - (c) require pupils at the school to comply with the travel behaviour code made by the Welsh Ministers under section 12 of the Learner Travel (Wales) Measure 2008."
- (4) Yn is-adran (3) yn lle "The" rhodder "In relation to a relevant school in England, the".
- (5) Ar ôl is-adran (3) mewnosoder –
- "(3A) In relation to a relevant school in Wales, the standard of behaviour which is to be regarded as acceptable must be determined by the head teacher, so far as it is not determined by –
- (a) the governing body, or
 - (b) the Welsh Ministers."
- (6) Yn is-adran (5), ar ôl "head teacher" mewnosoder "of a relevant school in England".
- (7) Ar ôl is-adran (5) mewnosoder –
- "(5A) The measures which the head teacher of a relevant school in Wales determines under subsection (1) may, to such extent as is reasonable and not required by subsection (2A)(c), include measures to be taken with a view to regulating the conduct of pupils at a time when they are not on the premises of the school and are not under the lawful control or charge of a member of the staff of the school."

14 Gorfodi cod ymddygiad wrth deithio: tynnu'n ôl drefniadau teithio

- (1) Mae'r adran hon yn gymwys i ddysgwyr y gwneir trefniadau teithio ar eu cyfer o dan adran 3 neu 4.
- (2) Caiff yr awdurdod lleol dynnu'n ôl drefniadau teithio a wnaed ar gyfer dysgwr –
- (a) os yw'r awdurdod yn fodlon bod y dysgwr wedi methu â chydymffurfio â'r cod ymddygiad wrth deithio a wnaed o dan adran 12, a
 - (b) os bodlonir yr amodau canlynol sy'n gymwys i'r dysgwr.
- (3) Mae'r chwe amod canlynol i gyd yn gymwys i unrhyw ddysgwr sy'n ddisgybl cofrestredig mewn ysgol berthnasol.
- (4) Mae'r cyntaf, y trydydd a'r pedwerydd o'r amodau canlynol yn gymwys i unrhyw ddysgwr nad yw'n ddisgybl cofrestredig mewn ysgol berthnasol.
- (5) Yr amod cyntaf yw, cyn i unrhyw benderfyniad gael ei wneud i dynnu'n ôl drefniadau teithio –
- (a) bod cyfle'n cael ei roi i'r dysgwr ac i riant y dysgwr i wneud sylwadau, a
 - (b) bod yr awdurdod lleol yn ystyried y sylwadau hynny.
- (6) Yr ail amod yw –
- (a) yr ymgynghorir â phennaeth yr ysgol berthnasol lle y mae'r dysgwr yn ddisgybl cofrestredig ynghylch y penderfyniad i dynnu'n ôl drefniadau teithio; a

- (b) have regard to any notification or guidance given to him under section 88(2)(b), and
 - (c) require pupils at the school to comply with the travel behaviour code made by the Welsh Ministers under section 12 of the Learner Travel (Wales) Measure 2008."
- (4) In subsection (3) for "The" substitute "In relation to a relevant school in England, the".
- (5) After subsection (3) insert –
- "(3A) In relation to a relevant school in Wales, the standard of behaviour which is to be regarded as acceptable must be determined by the head teacher, so far as it is not determined by –
 - (a) the governing body, or
 - (b) the Welsh Ministers."
- (6) In subsection (5), after "head teacher" insert "of a relevant school in England".
- (7) After subsection (5) insert –
- "(5A) The measures which the head teacher of a relevant school in Wales determines under subsection (1) may, to such extent as is reasonable and not required by subsection (2A)(c), include measures to be taken with a view to regulating the conduct of pupils at a time when they are not on the premises of the school and are not under the lawful control or charge of a member of the staff of the school."

14 Enforcement of travel behaviour code: withdrawal of travel arrangements

- (1) This section applies to learners for whom travel arrangements are made under section 3 or 4.
- (2) The local authority may withdraw travel arrangements made for a learner if –
- (a) the authority is satisfied that the learner has failed to comply with the travel behaviour code made under section 12, and
 - (b) the following conditions applicable to the learner are satisfied.
- (3) All six of the following conditions apply to any learner who is a registered pupil at a relevant school.
- (4) The first, third and fourth of the following conditions apply to any learner who is not a registered pupil at a relevant school.
- (5) The first condition is that before any decision is taken to withdraw travel arrangements –
- (a) the learner and the parent of the learner are given the opportunity to make representations, and
 - (b) those representations are considered by the local authority.
- (6) The second condition is that the head teacher of the relevant school at which the learner is a registered pupil –
- (a) is consulted about the decision to withdraw travel arrangements; and

- (b) yr hysbysir pennaeth yr ysgol berthnasol lle y mae'r dysgwr yn ddisgybl cofrestredig o'r penderfyniad o leiaf 24 awr cyn bydd tynnu'n ôl y trefniadau yn dod yn effeithiol.
- (7) Y trydydd amod yw bod y penderfyniad i dynnu'n ôl drefniadau teithio yn rhesymol o dan yr amgylchiadau.
- (8) Y pedwerydd amod yw bod yr awdurdod lleol yn hysbysu rhiant y dysgwr, o leiaf 24 awr cyn i dynnu'n ôl y trefniadau ddod yn effeithiol, bod y trefniadau teithio'n cael eu tynnu'n ôl.
- (9) Y pumed amod yw nad yw'r cyfnod pan yw'r trefniadau wedi eu tynnu'n ôl yn fwy na 10 niwrnod ysgol dilynol.
- (10) Y chweched amod yw na fyddai'r cyfnod pan yw'r trefniadau wedi eu tynnu'n ôl yn arwain at dynnu'n ôl drefniadau teithio oddi wrth y dysgwr am fwy na 30 o ddiwrnodau ysgol yn y flwyddyn ysgol y mae tynnu'n ôl y trefniadau yn dod yn effeithiol ynddi.
- (11) Wrth benderfynu a yw penderfyniad i dynnu'n ôl drefniadau teithio yn rhesymol at ddibenion is-adran (7), rhaid ystyried yn benodol y materion canlynol –
- (a) a yw'r cyfnod pan yw'r trefniadau wedi eu tynnu'n ôl yn gymesur ag amgylchiadau'r achos,
 - (b) unrhyw amgylchiadau arbennig sy'n berthnasol i dynnu'n ôl drefniadau teithio ac sy'n hysbys i'r awdurdod lleol (neu y dylai'r awdurdod lleol fod yn ymwybodol ohonynt) gan gynnwys yn arbennig –
 - (i) oed y dysgwr,
 - (ii) unrhyw anghenion addysgol arbennig a all fod gan y dysgwr,
 - (iii) unrhyw anabledd a all fod gan y dysgwr,
 - (iv) a fyddai'r dysgwr yn colli cyfle i sefyll arholiad cyhoeddus, a
 - (v) a all rhiant y dysgwr yn rhesymol wneud trefniadau teithio amgen sy'n rhai addas.
- (12) Rhaid i hysbysiad o dan is-adran (6) neu is-adran (8) fod yn ysgrifenedig a rhaid iddo nodi'n benodol –
- (a) y cyfnod pan yw trefniadau teithio wedi eu tynnu'n ôl, a
 - (b) rhesymau'r awdurdod dros dynnu'n ôl y trefniadau teithio.
- (13) At ddibenion yr adran hon ac adran 17, ystyr "ysgol berthnasol" yw –
- (a) ysgol a gynhelir,
 - (b) uned cyfeirio disgyblion, neu
 - (c) ysgol arbennig nas cynhelir.
- (14) Caiff rheoliadau –
- (a) diwygio neu ddiddymu y naill neu'r llall o is-adrannau (9) a (10), neu'r ddwy;
 - (b) gwneud darpariaeth ar gyfer adolygu penderfyniadau a wneir o dan is-adran (2);

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- (b) is given notice of the decision at least 24 hours before the withdrawal takes effect.
- (7) The third condition is that the decision to withdraw travel arrangements is reasonable in the circumstances.
- (8) The fourth condition is that the local authority gives notice of the withdrawal of travel arrangements to the learner's parent at least 24 hours before the withdrawal takes effect.
- (9) The fifth condition is that the period of withdrawal does not exceed 10 consecutive school days.
- (10) The sixth condition is that the period of withdrawal would not result in the learner having travel arrangements withdrawn for more than 30 school days in the school year in which the withdrawal takes effect.
- (11) In determining whether a decision to withdraw travel arrangements is reasonable for the purposes of subsection (7), the following matters in particular must be taken into account –
- (a) whether the period of withdrawal is proportionate in the circumstances of the case,
 - (b) any special circumstances relevant to the withdrawal of travel arrangements which are known to the local authority (or of which the authority ought to be aware) including in particular –
 - (i) the learner's age,
 - (ii) any special educational needs the learner may have,
 - (iii) any disability the learner may have,
 - (iv) whether the learner would lose an opportunity to take a public examination, and
 - (v) whether suitable alternative travel arrangements can reasonably be made by the learner's parent.
- (12) A notice under subsection (6) or (8) must be in writing and specify –
- (a) the period for which travel arrangements are to be withdrawn, and
 - (b) the authority's reasons for withdrawal of the travel arrangements.
- (13) For the purposes of this section and section 17, a "relevant school" means –
- (a) a maintained school,
 - (b) a pupil referral unit, or
 - (c) a non-maintained special school.
- (14) Regulations may –
- (a) amend or repeal either or both of subsections (9) and (10);
 - (b) make provision for reviews of decisions under subsection (2);

- (c) gwneud darpariaeth ar gyfer apelio yn erbyn penderfyniadau a wneir o dan is-adran (2).
- (15) Caiff rheoliadau o dan is-adran (14)(c) yn benodol –
- (a) pennu'r categorïau o berson a gaiff apelio;
 - (b) pennu'r amgylchiadau pan ganiateir apelio;
 - (c) darparu ar gyfer cyfansoddiad panelau apelio;
 - (d) darparu ar gyfer gweithdrefnau apelio;
 - (e) gwneud darpariaeth ynghylch effaith penderfyniadau apêl;
 - (f) darparu ar gyfer talu lwfansau i aelodau o banelau apelio;
 - (g) ei gwneud yn ofynnol i ddarparu gwybodaeth ynglyn ag apelau.

Atodol

15 Canllawiau a chyfarwyddiadau

- (1) Wrth arfer eu swyddogaethau o dan y Mesur hwn, rhaid i'r cyrff canlynol roi sylw i ganllawiau a roddir o bryd i'w gilydd gan Weinidogion Cymru –
- (a) awdurdodau lleol;
 - (b) cyrff llywodraethu ysgolion a gynhelir;
 - (c) cyrff llywodraethu sefydliadau yn y sector addysg bellach.
- (2) Rhaid i awdurdod lleol wneud y cyfryw drefniadau teithio i ddysgwyr o dan adran 3, adran 4 neu adran 6 ag y mae Gweinidogion Cymru yn ei gyfarwyddo i'w gwneud.
- (3) Wrth wneud trefniadau o dan adran 3, adran 4 neu adran 6 rhaid i awdurdod lleol gydymffurfio ag unrhyw gyfarwyddiadau a roddir gan Weinidogion Cymru.
- (4) Caniateir i gyfarwyddiadau o dan yr adran hon gael eu rhoi i un awdurdod lleol neu fwy neu i awdurdodau lleol yn gyffredinol.

16 Gwybodaeth am drefniadau teithio

Caiff rheoliadau ei gwneud yn ofynnol i awdurdod lleol gyhoeddi, ar y cyfryw adegau ac yn y cyfryw fodd ag a ragnodir, wybodaeth –

- (a) a ddaw i law wrth wneud asesiadau o dan adran 2(2);
- (b) am asesiadau a wneir o dan yr adran honno;
- (c) am y trefniadau teithio a wneir o dan y Mesur hwn;
- (d) am y cod ymddygiad wrth deithio a wneir o dan adran 12.

17 Cydweithredu: gwybodaeth neu gymorth arall

- (1) Rhaid i gorff llywodraethu ysgol a gynhelir neu sefydliad yn y sector addysg bellach yng Nghymru roi i awdurdod lleol unrhyw wybodaeth neu gymorth arall y mae'n rhesymol bod ar awdurdod lleol ei hangen neu ei angen er mwyn iddo gyflawni ei swyddogaethau o dan y Mesur hwn.

- (c) make provision for appeals from decisions under subsection (2).
- (15) Regulations under subsection (14)(c) may in particular –
- (a) specify the categories of person who may appeal;
 - (b) specify the circumstances in which appeals may be made;
 - (c) provide for the constitution of appeals panels;
 - (d) provide for appeal procedures;
 - (e) make provision about the effect of appeal decisions;
 - (f) provide for the payment of allowances to members of appeals panels;
 - (g) require the provision of information about appeals.

Supplementary

15 Guidance and directions

- (1) In exercising their functions under this Measure, the following bodies must have regard to guidance given from time to time by the Welsh Ministers –
- (a) local authorities;
 - (b) governing bodies of maintained schools;
 - (c) governing bodies of institutions in the further education sector.
- (2) A local authority must make such learner travel arrangements under section 3, 4 or 6 as the Welsh Ministers direct.
- (3) In making arrangements under section 3, 4 or 6 a local authority must comply with any directions given by the Welsh Ministers.
- (4) Directions under this section may be given to one or more local authorities or local authorities generally.

16 Information about travel arrangements

Regulations may require a local authority to publish, at such times and in such manner as may be prescribed, information –

- (a) received while carrying out assessments under section 2(2);
- (b) about assessments made under that section;
- (c) about the travel arrangements made under this Measure;
- (d) about the travel behaviour code made under section 12.

17 Co-operation: information or other assistance

- (1) The governing body of a maintained school or an institution in the further education sector in Wales must give a local authority any information or other assistance that is reasonably required by them for the performance of their functions under this Measure.

- (2) Rhaid i awdurdod lleol roi i awdurdod lleol arall unrhyw wybodaeth neu gymorth arall y mae'n rhesymol bod ar awdurdod lleol arall ei hangen neu ei angen er mwyn iddo gyflawni ei swyddogaethau o dan adrannau 2, 3, 4 a 6.
- (3) Rhaid i awdurdod lleol roi i bennaeth ysgol berthnasol unrhyw wybodaeth neu gymorth arall y mae'n rhesymol bod ar bennaeth ei hangen neu ei angen ynghylch ymddygiad disgybl cofrestredig yn ei ysgol tra oedd y disgybl yn manteisio ar drefniadau teithio a wnaed gan yr awdurdod lleol o dan y Mesur hwn.
- (4) Rhaid i bennaeth ysgol berthnasol roi i awdurdod lleol unrhyw wybodaeth neu gymorth arall y mae'n rhesymol bod ar yr awdurdod lleol ei hangen neu ei angen er mwyn iddo gyflawni ei swyddogaethau o dan adran 14.

18 Talu costau teithio gan awdurdod lleol y mae plentyn yn derbyn gofal ganddo

- (1) Mae'r adran hon yn gymwys pan fo awdurdod lleol ("awdurdod A") yn gwneud trefniadau teithio o dan adran 3 neu adran 4 ar gyfer plentyn sy'n derbyn gofal gan awdurdod lleol sy'n gyfrifol am ardal wahanol ("awdurdod B").
- (2) Caiff awdurdod A alw ar i awdurdod B ad-dalu'r cyfan neu ran o'r gost o wneud trefniadau teithio.
- (3) Rhaid i awdurdod B gydymffurfio â'r galw am ad-dalu.

19 Penderfynu ar breswylfa arferol mewn amgylchiadau arbennig

- (1) Os nad oes gan berson breswylfa arferol, mae'r person hwnnw i'w drin at ddibenion y Mesur hwn fel pe bai'n preswyllo fel arfer yn y man lle y mae'n preswyllo am y tro.
- (2) Mae is-adrannau (3) i (6) yn gymwys i blentyn neu berson ifanc sydd naill ai –
 - (a) yn ddisgybl cofrestredig mewn ysgol, neu
 - (b) wedi ymrestru yn fyfyrwr llawnamser mewn sefydliad yn y sector addysg bellach.
- (3) Mae'r is-adran hon yn gymwys i blentyn neu berson ifanc –
 - (a) nad yw ei rieni'n cyd-fyw, a
 - (b) sy'n byw fel arfer gyda mwy nag un rhiant yn ystod y cyfnodau pan yw'r plentyn neu'r person ifanc yn cael addysg neu hyfforddiant.
- (4) Mae'r is-adran hon yn gymwys i blentyn neu berson ifanc sy'n byw fel arfer gyda rhiant ac mewn cartref plant hefyd yn ystod y cyfnodau pan yw'r plentyn neu'r person ifanc yn cael addysg neu hyfforddiant.
- (5) At ddibenion y Mesur hwn –
 - (a) mae plentyn neu berson ifanc y mae is-adran (3) yn gymwys iddo yn preswyllo fel arfer yn y manau lle y mae y naill o'i rieni a'r llall yn preswyllo fel arfer;
 - (b) mae plentyn neu berson ifanc y mae is-adran (4) yn gymwys iddo yn preswyllo fel arfer yn y cartref plant ac yn y man lle y mae ei rhiant yn preswyllo fel arfer.
- (6) Ond os oes mwy na dau o'r cyfryw fannau, mae'r plentyn neu'r person ifanc yn preswyllo fel arfer yn y ddau fan sydd agosaf –
 - (a) at yr ysgol lle y mae'r plentyn neu'r person ifanc yn ddisgybl cofrestredig, neu

- (2) A local authority must give another local authority any information or other assistance that is reasonably required by the other authority for the performance of their functions under sections 2, 3, 4 and 6.
- (3) A local authority must give the head teacher of a relevant school any information or other assistance that is reasonably required by the head teacher about the behaviour of a registered pupil of his or her school while the pupil was taking advantage of travel arrangements made by the local authority under this Measure.
- (4) A head teacher of a relevant school must give a local authority any information or other assistance that is reasonably required by the local authority for the performance of their functions under section 14.

18 Payment of travel costs by a local authority which looks after a child

- (1) This section applies where a local authority ("authority A") makes travel arrangements under sections 3 or 4 for a child who is looked after by a local authority responsible for a different area ("authority B").
- (2) Authority A may demand reimbursement from authority B for the full cost or part of the cost of making the travel arrangements.
- (3) Authority B must comply with the demand.

19 Determination of ordinary residence in particular circumstances

- (1) If a person has no ordinary residence, that person is to be treated for the purposes of this Measure as being ordinarily resident at the place at which he or she is for the time being resident.
- (2) Subsections (3) to (6) apply to a child or young person who is either –
 - (a) a registered pupil at a school, or
 - (b) enrolled as a full-time student at an institution in the further education sector.
- (3) This subsection applies to a child or young person –
 - (a) whose parents are not living together, and
 - (b) who usually lives with more than one parent in the periods during which the child or young person receives education or training.
- (4) This subsection applies to a child or young person who usually lives with a parent and also at a children's home in the periods during which the child or young person receives education or training.
- (5) For the purposes of this Measure –
 - (a) a child or young person to whom subsection (3) applies is ordinarily resident at the places where each of his or her parents is ordinarily resident;
 - (b) a child or young person to whom subsection (4) applies is ordinarily resident at the children's home and the place where his or her parent is ordinarily resident.
- (6) But if there are more than two such places, the child or young person is ordinarily resident at the two places nearest –
 - (a) the school at which the child or young person is a registered pupil, or

- (b) at y sefydliad yn y sector addysg bellach lle y mae'r plentyn neu'r person ifanc wedi ymrestru'n fyfyrwr llawnamser.

(7) Yn yr adran hon—

- (a) mae i "cartref plant" yr ystyr sydd i "children's home" yn adran 1 o Ddeddf Safonau Gofal 2000 (p.14);
- (b) ystyr "rhiant" yw rhiant o fewn yr ystyr sydd i "parent" yn adran 576(1) o Ddeddf Addysg 1996 ac sy'n unigolyn.

20 Diwygiadau i adran 444 o Ddeddf Addysg 1996

(1) Diwygir adran 444 o Ddeddf Addysg 1996 (mynychu'r ysgol) fel a ganlyn.

(2) Yn lle is-adran (4) rhodder—

- "(4) The child is not to be taken to have failed to attend regularly at the school if the parent proves that the local authority have failed to discharge—
 - (a) a duty to make transport arrangements in relation to the child under section 3 of the Learner Travel (Wales) Measure 2008, or
 - (b) a duty to make travel arrangements in relation to the child under section 4 of that Measure."

(3) Yn is-adran (5) yn lle "subsections (3D) and (4)" rhodder "subsection (3D)".

21 Diwygiadau i Ddeddf Addysg 2002

(1) Diwygir Ddeddf Addysg 2002 fel a ganlyn.

(2) Diwygir adran 32 (pennu dyddiadau tymhorau a gwyliau ac amserau sesiynau ysgol) fel a ganlyn—

- (a) yn is-adran (1)(b) o flaen "the governing body" mewnosoder "subject to subsections (5) to (9)";
- (b) yn is-adran (2)(b) o flaen "the times" mewnosoder "subject to subsections (5) to (9)";
- (c) ar ôl is-adran (4) mewnosoder—

"(5) Subsections (1)(b) and (2)(b) do not apply in relation to a school in Wales in the circumstances specified in subsection (6).

(6) The circumstances are—

- (a) that the local education authority in whose area the school is situated have given notice in writing to the governing body of the school that the times of the school sessions are to be determined in accordance with subsection (8), and
- (b) that the notice has not been withdrawn by the local education authority.

(7) A local education authority must not issue a notice of the kind mentioned in subsection (6)(a) unless they consider a change in the times of the sessions of that school to be necessary or expedient in order to—

- (b) the institution in the further education sector at which the child or young person is enrolled as a full-time student.

(7) In this section –

- (a) "children's home" has the same meaning as in section 1 of the Care Standards Act 2000 (c.14);
- (b) "parent" means a parent within the meaning of section 576(1) of the Education Act 1996 who is an individual.

20 Amendments to section 444 of the Education Act 1996

(1) Section 444 of the Education Act 1996 (school attendance) is amended as follows.

(2) For subsection (4) substitute –

- "(4) The child is not to be taken to have failed to attend regularly at the school if the parent proves that the local authority have failed to discharge –
 - (a) a duty to make transport arrangements in relation to the child under section 3 of the Learner Travel (Wales) Measure 2008, or
 - (b) a duty to make travel arrangements in relation to the child under section 4 of that Measure."

(3) In subsection (5) for "subsections (3D) and (4)" substitute "subsection (3D)".

21 Amendments to the Education Act 2002

(1) The Education Act 2002 is amended as follows.

(2) Section 32 (fixing dates of terms and holidays and times of school sessions) is amended as follows –

- (a) in subsection (1)(b) before "the governing body" insert "subject to subsections (5) to (9),";
- (b) in subsection (2)(b) before "the times" insert "subject to subsections (5) to (9)";
- (c) after subsection (4) insert –

"(5) Subsections (1)(b) and (2)(b) do not apply in relation to a school in Wales in the circumstances specified in subsection (6).

(6) The circumstances are –

- (a) that the local education authority in whose area the school is situated have given notice in writing to the governing body of the school that the times of the school sessions are to be determined in accordance with subsection (8), and
- (b) that the notice has not been withdrawn by the local education authority.

(7) A local education authority must not issue a notice of the kind mentioned in subsection (6)(a) unless they consider a change in the times of the sessions of that school to be necessary or expedient in order to –

- (a) promote the use of sustainable modes of travel within the meaning of section 11 of the Learner Travel (Wales) Measure 2008, or
 - (b) improve the effectiveness or efficiency of travel arrangements made, or to be made, by the authority under that Measure.
- (8) In relation to a school subject to a notice of the kind mentioned in subsection (6)(a) –
- (a) where there are two school sessions on the relevant school day –
 - (i) the local education authority must determine the time each day at which the first school session starts and the second school session ends, and
 - (ii) the governing body must determine the time each day at which the first school session ends and the second school session starts;
 - (b) where there is one school session on the relevant school day the local education authority must determine the time each day at which the school session starts and ends.
- (9) The Welsh Ministers may make provision by regulations –
- (a) as to the procedure to be followed where the local education authority propose to issue a notice of the kind mentioned in subsection (6)(a);
 - (b) as to the matters to be included in such a notice;
 - (c) as to the implementation of any determination under subsection (8);
 - (d) for enabling the local education authority to determine, for any purposes of the regulations, whether any person is to be treated as a parent of a registered pupil at the school.
- (10) In giving notice as described in subsection (6) and in discharging any function conferred by subsections (7) or (8) or by regulations under subsection (9), a local education authority must have regard to guidance given by the Welsh Ministers."
- (3) Yn adran 210 (gorchmynion a rheoliadau) –
- (a) yn is-adran (1) yn lle "the National Assembly for Wales" rhodder "the Welsh Ministers";
 - (b) ar ôl is-adran (6) mewnosoder –
 - "(6A) Any statutory instrument containing regulations made under section 32(9) by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
 - (6B) Paragraphs 33 to 35 of Schedule 11 to the Government of Wales Act 2006 make provision about the National Assembly for Wales procedures that apply to any statutory instrument containing regulations or an order made in exercise of functions conferred upon the National Assembly for Wales by this Act that have been transferred to the Welsh Ministers by virtue of paragraph 30 of that Schedule."

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- (a) promote the use of sustainable modes of travel within the meaning of section 11 of the Learner Travel (Wales) Measure 2008, or
 - (b) improve the effectiveness or efficiency of travel arrangements made, or to be made, by the authority under that Measure.
 - (8) In relation to a school subject to a notice of the kind mentioned in subsection (6)(a) –
 - (a) where there are two school sessions on the relevant school day –
 - (i) the local education authority must determine the time each day at which the first school session starts and the second school session ends, and
 - (ii) the governing body must determine the time each day at which the first school session ends and the second school session starts;
 - (b) where there is one school session on the relevant school day the local education authority must determine the time each day at which the school session starts and ends.
 - (9) The Welsh Ministers may make provision by regulations –
 - (a) as to the procedure to be followed where the local education authority propose to issue a notice of the kind mentioned in subsection (6)(a);
 - (b) as to the matters to be included in such a notice;
 - (c) as to the implementation of any determination under subsection (8);
 - (d) for enabling the local education authority to determine, for any purposes of the regulations, whether any person is to be treated as a parent of a registered pupil at the school.
 - (10) In giving notice as described in subsection (6) and in discharging any function conferred by subsections (7) or (8) or by regulations under subsection (9), a local education authority must have regard to guidance given by the Welsh Ministers."
- (3) In section 210 (orders and regulations) –
- (a) in subsection (1) for "the National Assembly for Wales" substitute "the Welsh Ministers";
 - (b) after subsection (6) insert –
 - "(6A) Any statutory instrument containing regulations made under section 32(9) by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
 - (6B) Paragraphs 33 to 35 of Schedule 11 to the Government of Wales Act 2006 make provision about the National Assembly for Wales procedures that apply to any statutory instrument containing regulations or an order made in exercise of functions conferred upon the National Assembly for Wales by this Act that have been transferred to the Welsh Ministers by virtue of paragraph 30 of that Schedule."

(c) yn is-adran (7) –

- (i) yn lle "the National Assembly for Wales" rhodder "the Welsh Ministers",
- (ii) yn lle "the Assembly thinks" ym mharagraff (c) rhodder "the Welsh Ministers think".

22 Diwygiadau i adrannau 455 a 456 o Ddeddf Addysg 1996

(1) Diwygir Deddf Addysg 1996 fel a ganlyn.

(2) Yn adran 455 (taliadau a ganiateir) –

(a) ar ôl is-adran (1)(b) mewnosoder –

"(ba) travel arrangements provided under section 6 of the Learner Travel (Wales) Measure 2008 ("the Measure") for a registered pupil at a maintained school in Wales, other than arrangements in respect of which, by virtue of section 454(3) of this Act or sections 3 or 4 of the Measure, no charge may be made,";

(b) yn is-adran (1)(c) ar ôl "maintained school" mewnosoder "in England" a hepgorer "or 509(2)";

(c) ar ddiwedd is-adran (2)(b) hepgorer "or";

(d) ar ôl is-adran (2)(b) mewnosoder –

"(ba) by virtue of subsection (1)(ba) in respect of the provision for a pupil of travel arrangements, or";

(e) yn is-adran (3) ar ôl "entry" mewnosoder "travel arrangements,".

(3) Yn adran 456 (rheoleiddio taliadau a ganiateir), yn is-adran (3) ar ôl "A regulated charge" mewnosoder ", except any charge permitted by virtue of section 455(1)(ba),".

23 Diwygiadau i Ddeddf Addysg ac Arolygiadau 2006

(1) Diwygir Deddf Addysg ac Arolygiadau 2006 fel a ganlyn.

(2) Yn adran 162 (pŵer i ddiddymu cyfeiriadau at "local education authority"), ar ôl is-adran (5) mewnosoder –

"(5A) The Welsh Ministers may by order make such provision as appears to them to be appropriate for the purpose of –

(a) repealing any reference in a Measure of the National Assembly for Wales to a local education authority (however expressed), and

(b) replacing it, where it appears to them to be appropriate, with a reference (however expressed) to a Welsh local authority."

(3) Yn adran 181 –

(a) yn lle is-adran (1) rhodder –

"(1) Any power of the Secretary of State or the Welsh Ministers to make an order or regulations under this Act is exercisable by statutory instrument.";

(b) yn is-adran (2) –

- (c) in subsection (7) –
 - (i) for "the National Assembly for Wales" substitute "the Welsh Ministers",
 - (ii) for "the Assembly thinks" in paragraph (c) substitute "the Welsh Ministers think".

22 Amendments to sections 455 and 456 of the Education Act 1996

- (1) The Education Act 1996 is amended as follows.
- (2) In section 455 (permitted charges) –
 - (a) after subsection (1)(b) insert –
 - "(ba) travel arrangements provided under section 6 of the Learner Travel (Wales) Measure 2008 ("the Measure") for a registered pupil at a maintained school in Wales, other than arrangements in respect of which, by virtue of section 454(3) of this Act or sections 3 or 4 of the Measure, no charge may be made,";
 - (b) in subsection (1)(c) after "maintained school" insert "in England" and omit "or 509(2)";
 - (c) at the end of subsection (2)(b) omit "or";
 - (d) after subsection (2)(b) insert –
 - "(ba) by virtue of subsection (1)(ba) in respect of the provision for a pupil of travel arrangements, or";
 - (e) in subsection (3) after "entry" insert "travel arrangements,".
- (3) In section 456 (regulation of permitted charges), in subsection (3) after "A regulated charge" insert ", except any charge permitted by virtue of section 455(1)(ba),".

23 Amendments to the Education and Inspections Act 2006

- (1) The Education and Inspections Act 2006 is amended as follows.
- (2) In section 162 (power to repeal references to "local education authority"), after subsection (5) insert –
 - "(5A) The Welsh Ministers may by order make such provision as appears to them to be appropriate for the purpose of –
 - (a) repealing any reference in a Measure of the National Assembly for Wales to a local education authority (however expressed), and
 - (b) replacing it, where it appears to them to be appropriate, with a reference (however expressed) to a Welsh local authority."
- (3) In section 181 –
 - (a) for subsection (1) substitute –
 - "(1) Any power of the Secretary of State or the Welsh Ministers to make an order or regulations under this Act is exercisable by statutory instrument.";
 - (b) in subsection (2) –

- (i) yn lle "the Assembly", y tro cyntaf y ceir yr ymadrodd hwnnw, rhodder "the Welsh Ministers",
- (ii) yn lle "the Assembly thinks" ym mharagraff (c) rhodder "the Welsh Ministers think".

(4) Ar ôl adran 182 mewnosoder –

"182A Assembly control of orders and regulations

- (1) Any statutory instrument containing an order made under section 162(5A) by the Welsh Ministers may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the Assembly.
- (2) Paragraphs 33 to 35 of Schedule 11 to the Government of Wales Act 2006 make provision about the Assembly procedures that apply to any statutory instrument containing regulations or an order made in exercise of functions conferred upon the Assembly by this Act that have been transferred to the Welsh Ministers by virtue of paragraph 30 of that Schedule."

Cyffredinol

24 Dehongli cyffredinol

(1) Yn y Mesur hwn –

nid yw "addysg" ("*education*") yn cynnwys addysg uwch;

ystyr "addysg feithrin" ("*nursery education*") yw addysg sy'n addas i blant nad ydynt wedi cyrraedd oedran ysgol gorfodol;

mae i "anabledd" yr ystyr sydd i "disability" ac i "person anabl" yr ystyr sydd i "disabled person" yn adran 1 o Ddeddf Gwahaniaethu ar sail Anabledd 1995 (p.50);

ystyr "anhawster dysgu" ("*learning difficulty*") mewn cysylltiad â pherson yw –

- (a) anhawster i ddysgu sy'n sylweddol fwy nag sydd gan y mwyafrif o bersonau yr un oed, neu
- (b) anabledd sydd naill ai'n atal y person hwnnw rhag defnyddio cyfleusterau o fath a ddarperir mewn manau perthnasol, neu sy'n ei lesteirio wrth iddo eu defnyddio,

ond ni ddylid cymryd bod gan berson anhawster dysgu dim ond oherwydd bod yr iaith (neu'r ffurf ar yr iaith) y dysgir y person drwyddi (yn awr neu yn y dyfodol) yn wahanol i iaith (neu ffurf ar iaith) sydd wedi ei siarad ar unrhyw adeg yng nghartref y person;

ystyr "awdurdod lleol" ("*local authority*") yw awdurdod addysg lleol yng Nghymru; ond mewn unrhyw gyfeiriad at blentyn sy'n derbyn gofal gan awdurdod lleol ei ystyr yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru sy'n arfer swyddogaethau gwasanaethau cymdeithasol o fewn yr ystyr yn Neddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 (p.42);

ystyr "blwyddyn academaidd" ("*academic year*") yw unrhyw gyfnod o 1 Awst i 31 Gorffennaf;

ystyr "profiad gwaith" ("*work experience*") yw profiad gwaith a drefnir ar gyfer –

- (i) for "the Assembly", the first time that expression appears, substitute "the Welsh Ministers",
- (ii) for "the Assembly thinks" in paragraph (c) substitute "the Welsh Ministers think".

(4) After section 182 insert—

"182A Assembly control of orders and regulations

- (1) Any statutory instrument containing an order made under section 162(5A) by the Welsh Ministers may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the Assembly.
- (2) Paragraphs 33 to 35 of Schedule 11 to the Government of Wales Act 2006 make provision about the Assembly procedures that apply to any statutory instrument containing regulations or an order made in exercise of functions conferred upon the Assembly by this Act that have been transferred to the Welsh Ministers by virtue of paragraph 30 of that Schedule."

General

24 General interpretation

(1) In this Measure—

"academic year" ("*blwyddyn academaidd*") means any period from 1 August to 31 July;

"disability" ("*anabledd*") and "disabled person" ("*person anabl*") have the same meaning as in section 1 of the Disability Discrimination Act 1995 (c.50);

"education" ("*addysg*") does not include higher education;

"learning difficulty" ("*anhawster dysgu*") in respect of a person means—

- (a) a significantly greater difficulty in learning than the majority of persons of the same age, or
- (b) a disability which either prevents or hinders that person from using facilities of a kind provided at relevant places,

but a person is not to be taken as having a learning difficulty solely because the language (or form of the language) in which the person is taught or will be taught is different from a language (or form of a language) which has at any time been spoken in the person's home;

"local authority" ("*awdurdod lleol*") means a local education authority in Wales; but in any reference to a child looked after by a local authority it means a council of a county or county borough in Wales exercising social services functions within the meaning of the Local Authority Social Services Act 1970 (c.42);

"maintained school" ("*ysgol a gynhelir*") means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

"non-maintained special school" ("*ysgol arbennig nas cynhelir*") means a school approved under section 342 of the Education Act 1996;

- (a) un o ddisgyblion cofrestredig ysgol a gynhelir neu uned cyfeirio disgyblion, neu
- (b) myfyriwr sydd wedi ymrestru mewn sefydliad o fewn y sector addysg bellach,

gan gorff llywodraethu'r sefydliad addysg perthnasol, neu ar ran y corff llywodraethu;

ystyr "rhagnodi" ("*prescribed*") yw rhagnodi mewn rheoliadau;

ystyr "rheoliadau" ("*regulations*") yw rheoliadau a wneir gan Weinidogion Cymru;

ystyr "ysgol a gynhelir" ("*maintained school*") yw ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol, ysgol arbennig gymunedol neu ysgol arbennig sefydledig neu ysgol feithrin a gynhelir;

ystyr "ysgol arbennig nas cynhelir" ("*non-maintained special school*") yw ysgol a gymeradwywyd o dan adran 342 o Ddeddf Addysg 1996.

- (2) Mae i gyfeiriadau yn y Mesur hwn at blentyn sy'n derbyn gofal gan awdurdod lleol yr un ystyr ag sydd iddynt yn adran 22(1) o Ddeddf Plant 1989 (p.41).
- (3) Yn ddarostyngedig i is-adran (4), mae Deddf Addysg 1996 a darpariaethau'r Mesur hwn i'w darllen fel pe bai'r darpariaethau hynny wedi eu cynnwys yn Neddf Addysg 1996.
- (4) Os rhoddir i ymadrodd, at ddibenion unrhyw ddarpariaeth yn y Mesur hwn, ystyr sy'n wahanol i'r ystyr a roddir iddo at ddibenion Deddf Addysg 1996, yr ystyr a roddir iddo at ddibenion y ddarpariaeth honno sydd i fod yn gymwys yn lle'r ystyr a roddir at ddibenion y Ddeddf honno.

25 Mân ddiwygiadau a diwygiadau canlyniadol

Mae Atodlen 1 yn cynnwys mân ddiwygiadau a diwygiadau canlyniadol sy'n ymwneud â'r darpariaethau a wneir gan y Mesur hwn.

26 Diddymiadau

Diddymir y deddfiadau a bennir yn Atodlen 2 i'r graddau a bennir.

27 Gorchmynion a rheoliadau

- (1) Mae unrhyw bŵer sydd gan Weinidogion Cymru i wneud gorchymyn neu reoliadau o dan y Mesur hwn yn arferadwy drwy offeryn statudol.
- (2) Mae unrhyw bŵer sydd gan Weinidogion Cymru i wneud gorchymyn neu reoliadau o dan y Mesur hwn yn cynnwys pŵer –
 - (a) i wneud darpariaeth wahanol ar gyfer achosion neu ardaloedd gwahanol;
 - (b) i wneud darpariaeth yn gyffredinol neu mewn perthynas ag achosion penodol;
 - (c) i wneud y cyfryw ddarpariaeth gysylltiedig, atodol, trosiannol neu arbed ag y gwêl Gweinidogion Cymru'n dda ei gwneud.
- (3) Mae pŵer Gweinidogion Cymru i wneud rheoliadau o dan adran 3(9), adran 7 neu adran 8 hefyd yn cynnwys pŵer i wneud y cyfryw ddarpariaeth ganlyniadol ag y gwêl Gweinidogion Cymru yn dda ei gwneud.

"nursery education" ("*addysg feithrin*") means education suitable for children who have not attained compulsory school age;

"prescribed" ("*rhagnodi*") means prescribed in regulations;

"regulations" ("*rheoliadau*") means regulations made by the Welsh Ministers;

"work experience" ("*profiad gwaith*") means work experience arranged for –

- (a) a registered pupil of a maintained school or a pupil referral unit, or
- (b) a student enrolled at an institution within the further education sector,

by, or on behalf of, the governing body of the relevant educational institution.

- (2) References in this Measure to a child who is looked after by a local authority have the same meaning as they have in section 22(1) of the Children Act 1989 (c.41).
- (3) Subject to subsection (4), the Education Act 1996 and the provisions of this Measure are to be read as if those provisions were contained in the Education Act 1996.
- (4) Where an expression is given for the purposes of any provision of this Measure a meaning different from that given to it for the purposes of the Education Act 1996, the meaning given for the purposes of that provision is to apply instead of the one given for the purposes of that Act.

25 Minor and consequential amendments

Schedule 1 contains minor and consequential amendments relating to the provisions made by this Measure.

26 Repeals

The enactments specified in Schedule 2 are repealed to the extent specified.

27 Orders and regulations

- (1) Any power of the Welsh Ministers to make an order or regulations under this Measure is exercisable by statutory instrument.
- (2) Any power of the Welsh Ministers to make an order or regulations under this Measure includes power –
 - (a) to make different provision for different cases or areas;
 - (b) to make provision generally or in relation to specific cases;
 - (c) to make such incidental, supplementary, transitional or saving provision as the Welsh Ministers think fit.
- (3) The power of the Welsh Ministers to make regulations under section 3(9), 7 or 8 also includes power to make such consequential provision as the Welsh Ministers think fit.

- (4) Caiff y ddarpariaeth gysylltiedig, atodol, trosiannol, arbed neu ganlyniadol sydd i'w gwneud mewn rheoliadau gynnwys y cyfryw ddarpariaeth ag sy'n diwygio neu'n diddymu unrhyw un o ddarpariaethau –
 - (a) y Mesur hwn neu unrhyw un arall o Fesurau Cynulliad Cenedlaethol Cymru a basiwyd cyn y Mesur hwn neu yn yr un flwyddyn Cynulliad ag ef;
 - (b) Deddf a basiwyd cyn pasio'r Mesur hwn;
 - (c) is-ddeddfwriaeth a wnaed cyn pasio'r Mesur hwn.
- (5) Mae unrhyw offeryn statudol sy'n cynnwys rheoliadau a wneir o dan y Mesur hwn yn ddarostyngedig i gael ei ddiddymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.
- (6) Nid yw is-adran (5) yn gymwys i reoliadau y mae is-adran (7) yn gymwys iddynt.
- (7) Ni chaniateir i offeryn statudol gael ei wneud sy'n cynnwys (wrth eu hunain neu ynghyd â darpariaethau eraill) –
 - (a) rheoliadau o dan adran 3(9),
 - (b) rheoliadau o dan adran 7,
 - (c) rheoliadau o dan adran 8,
 - (d) rheoliadau o dan adran 14(14)(a), neu
 - (e) rheoliadau o dan is-adran (4) sy'n diwygio neu'n diddymu unrhyw un neu rai o ddarpariaethau Deddf neu Fesur Cynulliad,

onid oes drafft o'r offeryn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru a'i gymeradwyo ganddo drwy benderfyniad.

28 Cychwyn

- (1) Daw'r darpariaethau canlynol i rym ar ddiwedd cyfnod o ddeufis yn dechrau ar y diwrnod y cymeradwyir y Mesur hwn gan Ei Mawrhydi yn Ei Chyngor –
 - yr adran hon;
 - adran 27;
 - adran 29.
- (2) Daw darpariaethau'r Mesur hwn sy'n weddill i rym yn unol â darpariaeth a wneir gan Weinidogion Cymru drwy orchymyn.

29 Enw byr a chynnwys y Mesur yn y Deddfau Addysg

- (1) Enw'r Mesur hwn yw Mesur Teithio gan Ddysgwyr (Cymru) 2008.
- (2) Mae'r Mesur hwn i'w gynnwys yn y rhestr o Ddeddfau Addysg a geir yn adran 578 o Ddeddf Addysg 1996.

-
- (4) The incidental, supplementary, transitional, saving or consequential provision to be made in regulations may include such provision that amends or repeals any provision of—
- (a) this Measure or any other Measure of the National Assembly for Wales passed before or in the same Assembly year as this Measure;
 - (b) an Act passed before the passing of this Measure;
 - (c) subordinate legislation made before the passing of this Measure.
- (5) Any statutory instrument containing regulations made under this Measure is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (6) Subsection (5) does not apply to regulations to which subsection (7) applies.
- (7) A statutory instrument which contains (alone or with other provisions)—
- (a) regulations under section 3(9),
 - (b) regulations under section 7,
 - (c) regulations under section 8,
 - (d) regulations under section 14(14)(a), or
 - (e) regulations under subsection (4) which amend or repeal any provision of an Act or Assembly Measure,

may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

28 Commencement

- (1) The following provisions come into force at the end of a period of two months beginning on the day on which this Measure is approved by Her Majesty in Council—
- this section;
 - section 27;
 - section 29.
- (2) The remaining provisions of this Measure come into force in accordance with provision made by the Welsh Ministers by order.

29 Short title and inclusion of Measure within the Education Acts

- (1) This Measure may be cited as the Learner Travel (Wales) Measure 2008.
- (2) This Measure is to be included in the list of Education Acts set out in section 578 of the Education Act 1996.

ATODLEN 1
(a gyflwynir gan adran 25)

MÂN DDIWYGIADAU A DIWYGIADAU CANLYNIADOL

Deddf Cerbydau Cyhoeddus i Deithwyr 1981 (p.14)

- 1 Yn adran 46 o Ddeddf Cerbydau Cyhoeddus i Deithwyr 1981 (teithwyr sy'n talu pris tocyn ar fysiau ysgol), yn is-adran (3), yn y diffiniad o "free school transport" –
- (a) ym mharagraff (a) hepgorer "section 509(1) or (1A)";
 - (b) hepgorer "or" ar ddiwedd paragraff (aa);
 - (c) ar ôl paragraff (aa) mewnosoder –
 - "(ab) in pursuance of arrangements under sections 3 or 4 of the Learner Travel (Wales) Measure 2008, or".

Deddf Trafnidiaeth 1985 (p.67)

- 2 (1) Diwygir adran 6 o Ddeddf Trafnidiaeth 1985 (cofrestru gwasanaethau lleol) fel a ganlyn.
- (2) Yn is-adran (1B) –
- (a) hepgorer "section 509(1) or (1A)," ym mharagraff (a);
 - (b) hepgorer "or" ar ddiwedd paragraff (b);
 - (c) ar ôl paragraff (c) mewnosoder –
 - "(d) the obligation placed on a local authority by sections 3 or 4 of the Learner Travel (Wales) Measure 2008; or
 - (e) the exercise of the power of a local authority under section 6 of that Measure."
- (3) Yn is-adran (1C)(a), yn lle "or (c)" rhodder ", (c), (d) or (e)".

Deddf Addysg Bellach ac Addysg Uwch 1992 (p.13)

- 3 (1) Diwygir adran 57 o Ddeddf Addysg Bellach ac Addysg Uwch 1992 fel a ganlyn.
- (2) Yn is-adran (2)(b) ar ôl "any Act" mewnosoder "or any Measure of the National Assembly for Wales".
- (3) Yn is-adran (2)(c) ar ôl "any Act" mewnosoder "or any Measure of the National Assembly for Wales".

Deddf Addysg 1996 (p.56)

- 4 (1) Diwygir Deddf Addysg 1996 fel a ganlyn.
- (2) Yn adran 509AA (darparu cludiant ar gyfer personau o oedran chweched dosbarth) –

SCHEDULE 1
(introduced by section 25)

MINOR AND CONSEQUENTIAL AMENDMENTS

Public Passenger Vehicles Act 1981 (c.14)

- 1 In section 46 of the Public Passenger Vehicles Act 1981 (fare-paying passengers on school buses), in subsection (3), in the definition of "free school transport" –
- (a) in paragraph (a) omit "section 509(1) or (1A)";
 - (b) omit "or" at the end of paragraph (aa);
 - (c) after paragraph (aa) insert –
 "(ab) in pursuance of arrangements under sections 3 or 4 of the Learner Travel (Wales) Measure 2008, or".

Transport Act 1985 (c.67)

- 2 (1) Section 6 of the Transport Act 1985 (registration of local services) is amended as follows.
- (2) In subsection (1B) –
- (a) omit "section 509(1) or (1A)," in paragraph (a);
 - (b) omit "or" at the end of paragraph (b);
 - (c) after paragraph (c) insert –
 "(d) the obligation placed on a local authority by sections 3 or 4 of the Learner Travel (Wales) Measure 2008; or
 (e) the exercise of the power of a local authority under section 6 of that Measure."
- (3) In subsection (1C)(a), for "or (c)" substitute ", (c), (d) or (e)".

Further and Higher Education Act 1992 (c.13)

- 3 (1) Section 57 of the Further and Higher Education Act 1992 is amended as follows.
- (2) In subsection (2)(b) after "any Act" insert "or any Measure of the National Assembly for Wales".
- (3) In subsection (2)(c) after "any Act" insert "or any Measure of the National Assembly for Wales".

Education Act 1996 (c.56)

- 4 (1) The Education Act 1996 is amended as follows.
- (2) In section 509AA (provision of transport for persons of sixth form age) –

- (a) yn is-adran (1) ar ôl "authority" mewnosoder "in England";
 - (b) yn is-adran (2)(d) hepgorer "or the National Assembly for Wales";
 - (c) yn is-adran (9) yn lle "appropriate authority may, if it" rhodder "Secretary of State may, if he";
 - (d) hepgorer is-adran (9A);
 - (e) yn is-adran (10) hepgorer y geiriau "(in relation to local education authorities in England) or the National Assembly for Wales (in relation to local education authorities in Wales)".
- (3) Yn adran 509AB (darpariaeth bellach ynghylch datganiadau polisi cludiant) –
- (a) hepgorer is-adran (4);
 - (b) yn is-adran (5), yn lle'r geiriau o "under this section" i'r diwedd rhodder "under this section by the Learning and Skills Council for England.";
 - (c) yn is-adran (6) –
 - (i) ym mharagraff (c) hepgorer "(in the case of a local education authority in England)";
 - (ii) ym mharagraff (d) hepgorer y geiriau ar ôl "England" i ddiwedd y paragraff hwnnw y tro cyntaf y mae'r gair hwnnw'n ymddangos.
- (4) Yn adran 509AC (dehongli adrannau 509AA a 509AB) –
- (a) hepgorer is-adran (3);
 - (b) yn is-adran (6) hepgorer y geiriau ar ôl "subsection (5)" i ddiwedd yr is-adran honno;
 - (c) hepgorer is-adran (7).
- (5) Yn adran 509A (trefniadau teithio i blant sy'n cael addysg blynyddoedd cynnar ac eithrio mewn ysgol) –
- (a) yn is-adran (1), ar ôl "authority" mewnosoder "in England";
 - (b) yn is-adran (4A), ar ôl "Regulations" mewnosoder "made by the Secretary of State";
 - (c) yn is-adran (5) (fel y mae wedi ei hamnewid gan baragraff 23 o Atodlen 2 i Ddeddf Gofal Plant 2006 (p.21)), hepgorer "in relation to England," a pharagraff (b).

Deddf Gofal Plant 2006 (p.21)

5 Yn adran 110(5)(a) o Ddeddf Gofal Plant 2006, yn lle "20 to 24" rhodder "20 to 22, 24".

-
- (a) in subsection (1) after "authority" insert "in England";
 - (b) in subsection (2)(d) omit "or the National Assembly for Wales";
 - (c) in subsection (9) for "appropriate authority may, if it" substitute "Secretary of State may, if he";
 - (d) omit subsection (9A);
 - (e) in subsection (10) omit the words "(in relation to local education authorities in England) or the National Assembly for Wales (in relation to local education authorities in Wales)".
- (3) In section 509AB (further provision about transport policy statements) –
- (a) omit subsection (4);
 - (b) in subsection (5), for the words from "under this section" to the end substitute "under this section by the Learning and Skills Council for England.";
 - (c) in subsection (6) –
 - (i) in paragraph (c) omit "(in the case of a local education authority in England)";
 - (ii) in paragraph (d) omit the words after "England" the first time that word appears to the end of that paragraph.
- (4) In section 509AC (interpretation of sections 509AA and 509AB) –
- (a) omit subsection (3);
 - (b) in subsection (6) omit the words after "subsection (5)" to the end of that subsection;
 - (c) omit subsection (7).
- (5) In section 509A (travel arrangements for children receiving early years education otherwise than at school) –
- (a) in subsection (1), after "authority" insert "in England";
 - (b) in subsection (4A), after "Regulations" insert "made by the Secretary of State";
 - (c) in subsection (5) (as substituted by paragraph 23 of Schedule 2 to the Childcare Act 2006 (c.21)), omit "in relation to England," and paragraph (b).

Childcare Act 2006 (c.21)

- 5 In section 110(5)(a) of the Childcare Act 2006, for "20 to 24" substitute "20 to 22, 24".

ATODLEN 2
(cyflwynir gan adran 26)

DIDDYMIADAU

Enw byr a phennod	Graddau'r diddymiad
Deddf Cerbydau Cyhoeddus i Deithwyr 1981 (p.14)	Yn adran 46(3)(a) y geiriau "section 509(1) or (1A)".
Deddf Trafnidiaeth 1985 (p.67)	Yn adran 6(1B) y geiriau "section 509(1) or (1A)" ym mharagraff (a) a'r gair "or" ym mharagraff (b).
Deddf Addysg 1996 (p.56)	<p>Yn adran 444(5) y geiriau "and (4)".</p> <p>Yn adran 455, yn is-adran (1)(c) y geiriau "or 509(2)" ac yn is-adran (2)(b) "or" ar ddiwedd yr is-adran.</p> <p>Adran 509.</p> <p>Yn adran 509AA, yn is-adran (2)(d) y geiriau "or the National Assembly for Wales", is-adran (9A), ac yn is-adran (10) y geiriau "(in relation to local education authorities in England) or the National Assembly for Wales (in relation to local education authorities in Wales)".</p> <p>Yn adran 509AB, is-adran (4), yn is-adran (6)(c) y geiriau "(in the case of a local education authority in England)", yn is-adran (6)(d) y geiriau ar ôl "England" i ddiwedd yr is-adran honno y tro cyntaf y mae'r gair hwnnw'n ymddangos.</p>

SCHEDULE 2
(introduced by section 26)

REPEALS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Public Passenger Vehicles Act 1981 (c.14)	In section 46(3)(a) the words "section 509(1) or (1A)".
Transport Act 1985 (c.67)	In section 6(1B) the words "section 509(1) or (1A)" in paragraph (a) and the word "or" in paragraph (b).
Education Act 1996 (c.56)	<p>In section 444(5) the words "and (4)".</p> <p>In section 455, in subsection (1)(c) the words "or 509(2)" and in subsection (2)(b) "or" at the end of the subsection.</p> <p>Section 509.</p> <p>In section 509AA, in subsection (2)(d) the words "or the National Assembly for Wales", subsection (9A), and in subsection (10) the words "(in relation to local education authorities in England) or the National Assembly for Wales (in relation to local education authorities in Wales)".</p> <p>In section 509AB, subsection (4), in subsection (6)(c) the words "(in the case of a local education authority in England)", in subsection (6)(d) the words after "England" the first time that word appears to the end of that subsection.</p>

	<p>Yn adran 509AC, is-adran (3), yn is-adran (6) y geiriau ar ôl "subsection (5)" i ddiwedd yr is-adran, is-adran (7).</p> <p>Yn adran 509A, yn is-adran (5), y geiriau "in relation to England," a pharagraff (b).</p>
Deddf Safonau a Fframwaith Ysgolion 1998 (p.31)	Atodlen 30, paragraff 133.
Deddf Dysgu a Medrau 2000 (p.21)	Atodlen 9, paragraff 59.
Deddf Addysg 2002 (p.32)	Atodlen 19, paragraff 2. Atodlen 21, paragraff 51.
Deddf Addysg ac Arolygiadau 2006 (p.40)	<p>Adran 83, is-adran (1), yn is-adran (2) y geiriau ar ôl "England" i ddiwedd yr is-adran honno y tro cyntaf y mae'r gair yn ymddangos, ac is-adran (3).</p> <p>Atodlen 10, paragraffau 4 a 5(b).</p>

	<p>In section 509AC, subsection (3), in subsection (6) the words after "subsection (5)" to the end of the subsection, subsection (7).</p> <p>In section 509A, in subsection (5), the words "in relation to England," and paragraph (b).</p>
School Standards and Framework Act 1998 (c.31)	Schedule 30, paragraph 133.
Learning and Skills Act 2000 (c.21)	Schedule 9, paragraph 59.
Education Act 2002 (c.32)	<p>Schedule 19, paragraph 2.</p> <p>Schedule 21, paragraph 51.</p>
Education and Inspections Act 2006 (c.40)	<p>Section 83, subsection (1), in subsection (2) the words after "England" the first time that word appears to the end of that subsection, and subsection (3).</p> <p>Schedule 10, paragraphs 4 and 5(b).</p>

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