CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2069 (Cy.141)

ADDYSG, CYMRU

Rheoliadau Addysg (Cyhoeddi Cynigion a Gorchmynion Drafft) (Corfforaethau Addysg Bellach) (Cymru) 2001

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn (sy'n gymwys mewn perthynas â Chymru) yn rhagnodi cynnwys, ac amser a dull cyhoeddi, cynigion drafft sy'n cael eu gwneud gan Gyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant ("y Cyngor Cenedlaethol") ar gyfer sefydlu corfforaethau addysg bellach a'u diddymu.

Mae'r Rheoliadau hyn yn darparu hefyd ar gyfer amser a dull cyhoeddi gorchmynion drafft ar gyfer sefydlu corfforaethau addysg bellach gan Gynulliad Cenedlaethol Cymru o dan adran 16 (1) a (3) o Ddeddf Addysg Bellach ac Uwch 1992, pan nad yw'r gorchmynion hynny yn cael eu gwneud er mwyn rhoi effaith i gynigion a wnaed gan y Cyngor Cenedlaethol.

Mae'r Rheoliadau hyn yn diddymu Rheoliadau Addysg (Cyhoeddi Cynigion a Gorchmynion Drafft) (Corfforaethau Addysg Bellach) 1992 ac yn ailddeddfu eu darpariaethau gyda diwygiadau sy'n deillio o Ddeddf Dysgu a Medrau 2000 a'r fframwaith newydd ar gyfer ysgolion a gynhelir a geir yn Rhan II o Ddeddf Safonau a Fframwaith Ysgolion 1998.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 2069 (W.141)

EDUCATION, WALES

The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (Wales) Regulations 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations (which apply in relation to Wales) prescribe the content of, and time and manner of publication of, draft proposals made by the National Council for Education and Training for Wales ("the National Council") for the establishment and dissolution of further education corporations.

These Regulations also provide for the time and manner of publication of draft orders for the establishment of further education corporations by the National Assembly for Wales under section 16 (1) and (3) of the Further and Higher Education Act 1992, where such orders are not made for the purpose of giving effect to proposals made by the National Council.

These Regulations revoke the Education (Publication of Draft Proposals and Orders) (Further Education Corporations) Regulations 1992 and re-enact their provisions with amendments consequential on the Learning and Skills Act 2000 and the new framework for maintained schools contained in Part II of the School Standards and Framework Act 1998.

OFFERYNNAU STATUDOL

2001 Rhif 2069 (Cy.141)

ADDYSG, CYMRU

Rheoliadau Addysg (Cyhoeddi Cynigion a Gorchmynion Drafft) (Corfforaethau Addysg Bellach) (Cymru) 2001

Wedi'u gwneud	*24 Mai 2001*
Yn dod i rym	*1 Gorffennaf 2001*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddir gan adrannau 51 ac 89(4) o Ddeddf Addysg Bellach ac Uwch 1992(**a**) ac sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru(**b**):

Enwi, cychwyn, dehongli a chymhwyso

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cyhoeddi Cynigion a Gorchmynion Drafft) (Corfforaethau Addysg Bellach) (Cymru) 2001 a deuant i rym ar 1 Gorffennaf 2001.

(2) Yn y Rheoliadau hyn -

ystyr "y Cyngor Cenedlaethol" ("*the National Council*") yw Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant;

ystyr "y Cynulliad Cenedlaethol" ("*the National Assembly*") yw Cynulliad Cenedlaethol Cymru;

ystyr "dyddiad rhifo'r Cyfrifiad Ysgolion" ("*Schools' Census enumeration date*") yw'r dyddiad y mae'r Cynulliad Cenedlaethol yn cyfeirio ato wrth ei gwneud yn ofynnol i wybodaeth gael ei darparu am ysgolion a gynhelir yn unol ag adran 29(1) o Ddeddf Addysg 1996(**c**);

mae "myfyriwr" ("*student*") yn cynnwys disgybl,

ac mae cyfeiriad at adran yn gyfeiriad at adran o Ddeddf Addysg Bellach ac Uwch 1992.

(a) 1992 p.13.

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S.1999/672).

(c) 1996 p.56.

STATUTORY INSTRUMENTS

2001 No. 2069 (W.141)

EDUCATION, WALES

The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (Wales) Regulations 2001

Made	*24 May 2001*
Coming into force	*1st July 2001*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 51 and 89(4) of the Further and Higher Education Act 1992(**a**) and now vested in the National Assembly for Wales(**b**):

Name, commencement, interpretation and application

1. -(1) These regulations are called the Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (Wales) Regulations 2001 and shall come into force on 1 July 2001.

(2) In these Regulations -

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales,

"the National Council" ("*y Cyngor Cenedlaethol*") means the National Council for Education and Training for Wales,

"Schools' Census enumeration date" ("*dyddiad rhifo'r Cyfrifiad Ysgolion") means the date by reference to which the National Assembly requires information to be provided relating to maintained schools pursuant to section 29(1) of the Education Act 1996(**c**),

"student" ("*myfyriwr*") includes a pupil,

and a reference to a section is a reference to a section of the Further and Higher Education Act 1992.

(a) 1992 c.13.

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(c) 1996 c. 56.

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru.

Yr wybodaeth sydd i'w chynnwys yn y cynigion drafft y cyfeirir atynt yn adran 51(1)(a) a (b)

2. Rhaid i'r cynigion drafft y cyfeirir atynt yn adran 51(1)(a) a (b) (cynigion drafft ar gyfer sefydlu corff corfforaethol gan y Cynulliad Cenedlaethol o dan adran 16(1) neu (3)) ac y mae'n ofynnol eu cyhoeddi o dan adran 51(2) roi'r wybodaeth ganlynol -

(a) enw neu enw arfaethedig y sefydliad o dan sylw;

(b) ei gyfeiriad;

(c) yn achos sefydliad sy'n bodoli eisoes, disgrifiad cyffredinol o'r addysg sy'n cael ei darparu yn y sefydliad ac o'r addysg sydd i'w darparu yno pan fydd yn cael ei redeg gan gorfforaeth addysg bellach gan gynnwys, yn y ddau achos ystod oedran y myfyrwyr;

(ch) yn achos sefydliad sydd i'w sefydlu, disgrifiad cyffredinol o'r addysg sydd i'w ddarparu yn y sefydliad gan gynnwys ystod oedran y myfyrwyr;

(d) yn achos sefydliad sy'n bodoli eisoes, a yw'n ysgol gymunedol, yn ysgol sefydledig, yn ysgol wirfoddol a gynorthwyir neu'n ysgol wirfoddol a reolir neu, os nad yw'n unrhyw un o'r rhain, disgrifiad byr o'i statws;

(dd) yn achos sefydliad sy'n bodoli eisoes, enw'r awdurdod addysg lleol, os oes un, sy'n ei gynnal ac, yn achos ysgol wirfoddol neu ysgol sefydledig sydd â chymeriad crefyddol at ddibenion Rhan II o Ddeddf Safonau a Fframwaith Ysgolion 1998(**a**), enw awdurdod priodol unrhyw enwad crefyddol o dan sylw;

(e) yn achos sefydliad sy'n bodoli eisoes heblaw ysgol -

(i) nifer y myfyrwyr amser-llawn, nifer y myfyrwyr rhan-amser a chyfanswm y myfyrwyr ar 1 Rhagfyr yn y flwyddyn cyn y flwyddyn y caiff y cynigion drafft eu cyhoeddi, a

(ii) nifer y myfyrwyr amser-llawn a ragwelir, nifer y myfyrwyr rhan-amser a ragwelir a chyfanswm y myfyrwyr a ragwelir ar 1 Rhagfyr yn y flwyddyn y caiff y cynigion drafft eu cyhoeddi (neu, pan gaiff y cynigion drafft eu cyhoeddi ar 1 Rhagfyr neu ar ôl hynny, yn y flwyddyn ar ôl blwyddyn eu cyhoeddi);

(f) yn achos sefydliad sy'n bodoli eisoes ac sy'n ysgol -

(i) nifer y myfyrwyr amser-llawn, nifer y myfyrwyr rhan-amser a chyfanswm y myfyrwyr ar ddyddiad rhifo'r Cyfrifiad

(a) 1998 p.31. Gweler adran 69 a Gorchymyn Dynodi Ysgolion sydd â Chymeriad Crefyddol (Cymru) 1999 (O.S.1999/1814).

(3) These Regulations apply to Wales.

Information to be contained in draft proposals referred to in section 51(1)(a) and (b)

2. Draft proposals referred to in section 51(1)(a) and (b) (draft proposals for the establishment by the National Assembly of a body corporate under section 16(1) or (3)) which are required to be published under section 51(2) shall give the following information -

(a) the name or proposed name of the institution concerned;

(b) its address;

(c) in case of an existing institution, a general description of the education provided at the institution and of the education to be provided there when it is conducted by a further education corporation including the age range of students in both cases;

(d) in the case of an institution to be established, a general description of the education to be provided at the institution including the age range of students;

(e) in the case of an existing institution, whether it is a community, foundation, voluntary aided or voluntary controlled school or, if none of these, a brief description of its status;

(f) in the case of an existing institution, the name of the local education authority, if any, which maintains it and, in the case of a voluntary or foundation school which has a religious character for the purposes of Part II of the School Standards and Framework Act 1998(**a**), the name of the appropriate authority of any religious denomination concerned;

(g) in the case of an existing institution other than a school -

(i) the number of full-time students, the number of part-time students and the total number of students on 1st December in the year preceding the year in which the draft proposals are published, and

(ii) the forecast number of full-time students, the forecast number of part-time students and the forecast total number of students on 1st December in the year in which the draft proposals are published (or, where the draft proposals are published on or after 1st December, in the year after that in which they were published);

(h) in the case of an existing institution which is a school -

(i) the number of full-time students, the number of part-time students and the total number of students on the Schools' Census enumeration date in the year in which the

(a) 1998 c.31. See section 69 and the Designation of Schools Having a Religious Character (Wales) Order 1999 (S.I. 1999/1814).

Ysgolion yn y flwyddyn y caiff y cynigion drafft eu cyhoeddi (neu, pan gaiff y cynigion drafft eu cyhoeddi cyn dyddiad rhifo'r Cyfrifiad Ysgolion, ar ddyddiad rhifo'r Cyfrifiad Ysgolion yn y flwyddyn cyn blwyddyn eu cyhoeddi), a

(ii) nifer y myfyrwyr amser-llawn a ragwelir, nifer y myfyrwyr rhan-amser a ragwelir a chyfanswm y myfyrwyr a ragwelir ar ddyddiad rhifo'r Cyfrifiad Ysgolion yn y flwyddyn ar ôl blwyddyn cyhoeddi'r cynigion drafft;

(ff) yn achos sefydliad sydd i'w sefydlu, nifer y myfyrwyr amser-llawn, nifer y myfyrwyr rhan-amser a chyfanswm y myfyrwyr a ragwelir ar gyfer yr amser y bydd y sefydliad yn hollol weithredol;

(g) y rheswm dros gynnig ymgorffori;

(ng) yn achos cynigion ar gyfer sefydlu corff corfforaethol o dan adran 16(1) -

(i) a yw'r gorfforaeth addysg bellach i sefydlu sefydliad addysgol neu redeg sefydliad sy'n bodoli eisoes, a

(ii) yn achos sefydliad sy'n bodoli eisoes, a yw'r corff llywodraethu wedi cydsynio â sefydlu corfforaeth addysg bellach i redeg y sefydliad;

(h) y dyddiad sy'n cael ei gynnig ar gyfer sefydlu'r gorfforaeth addysg bellach ac o ba ddyddiad y cynigir y dylai'r gorfforaeth redeg y sefydliad;

(i) yr enw sy'n cael ei gynnig ar gyfer y gorfforaeth addysg bellach sydd i redeg y sefydliad;

(j) yn achos cynigion ar gyfer sefydlu corff corfforaethol o dan adran 16(3), datganiad bod corff llywodraethu'r sefydliad a'r awdurdod addysg lleol sy'n cynnal y sefydliad wedi cydsynio â chyhoeddi'r cynigion.

Yr wybodaeth sydd i'w cynnwys yn y cynigion drafft a ddisgrifir yn adran 51(1)(c)

3. Rhaid i'r cynigion drafft y cyfeirir atynt yn adran 51(1)(c) (cynigion drafft ar gyfer diddymu unrhyw gorfforaeth addysg bellach gan y Cynulliad Cenedlaethol o dan adran 27) ac y mae'n ofynnol eu cyhoeddi o dan adran 51(2) roi'r wybodaeth ganlynol -

(a) enw'r gorfforaeth addysg bellach;

(b) enw'r sefydliad o dan sylw (os yw'n wahanol);

(c) ei gyfeiriad;

(ch) disgrifiad cyffredinol o'r addysg sy'n cael ei darparu yn y sefydliad;

(d) nifer y myfyrwyr amser-llawn, nifer y myfyrwyr rhan-amser a chyfanswm y myfyrwyr yn y sefydliad;

draft proposals are published (or, where the draft proposals are published before the Schools' Census enumeration date, on the Schools' Census enumeration date in the year before that in which they were published), and

(ii) the forecast number of full-time students, the forecast number of part-time students and the forecast total number of students on the Schools' Census enumeration date in the year after the year in which the draft proposals are published;

(i) in the case of an institution which is to be established, the number of full-time students, the number of part-time students and the total number of students which are forecast for such time as the institution is fully operational;

(j) the reason for proposing incorporation;

(k) in the case of proposals for the establishment of a body corporate under section 16(1) -

(i) whether the further education corporation is to establish an educational institution or to conduct an existing institution, and

(ii) in the case of an existing institution, whether the governing body has consented to the establishment of a further education corporation to conduct the institution;

(l) the date proposed for the establishment of the further education corporation and the date from when it is proposed that the corporation should conduct the institution;

(m) the name proposed for the further education corporation which is to conduct the institution;

(n) in the case of proposals for the establishment of a body corporate under section 16(3), a statement that the governing body of the institution and the local education authority who maintain the institution have consented to the publication of the proposals.

Information to be contained in draft proposals described in section 51(1)(c)

3. Draft proposals referred to in section 51(1)(c) (draft proposals for the dissolution of any further education corporation by the National Assembly under section 27) which are required to be published under section 51(2) shall give the following information -

(a) the name of the further education corporation;

(b) the name of the institution concerned (if different);

(c) its address;

(d) a general description of the education provided at the institution;

(e) the number of full-time students, the number of part-time students and the total number of

(dd) y rheswm dros gynnig diddymu'r gorfforaeth;

(e) y dyddiad sy'n cael ei gynnig ar gyfer diddymu'r gorfforaeth; ac

(f) y ddarpariaeth addysgol sydd i'w gwneud ar gyfer y myfyrwyr hynny nad ydynt wedi cwblhau eu cyrsiau ar y dyddiad hwnnw.

students at the institution;

(f) the reason for proposing dissolution of the corporation;

(g) the date proposed for the dissolution of the corporation; and

(h) the educational provision to be made for those students who have not completed their courses on that date.

Amser a dull cyhoeddi'r cynigion o dan adran 51(1)

4.-(1) Rhaid i'r cynigion drafft y cyfeirir atynt yn adran 51(1) (cynigion drafft ar gyfer sefydlu corff corfforaethol gan y Cynulliad Cenedlaethol o dan adran 16(1) neu (3) neu ar gyfer diddymu unrhyw gorfforaeth addysg bellach gan y Cynulliad Cenedlaethol o dan adran 27) ac y mae'n ofynnol eu cyhoeddi gan y Cyngor Cenedlaethol o dan adran 51(2) gael eu cyhoeddi (yn unol â pharagraffau (2) a (4)) o leiaf bedwar mis cyn y dyddiad a bennir yn y cynigion drafft ar gyfer sefydlu neu ddiddymu'r gorfforaeth addysg bellach.

(2) Rhaid i'r Cyngor Cenedlaethol gyhoeddi crynodeb o'r cynigion -

(a) mewn o leiaf un papur newydd sy'n cylchredeg yn yr ardal sy'n cael ei gwasanaethu, neu sydd i'w gwasanaethu, gan y sefydliad y mae'r cynnig drafft yn ymwneud â hi;

(b) drwy ei osod mewn o leiaf un man amlwg yn yr ardal honno; ac

(c) yn achos cynnig drafft sy'n ymwneud â sefydliad sy'n bodoli eisoes, drwy ei osod mewn man amlwg ym mhrif fynedfa'r sefydliad hwnnw neu wrth ei hymyl.

(3) Rhaid i'r crynodeb ddatgan bod modd cael copi o'r cynnig drafft yn rhad ac am ddim oddi wrth y Cyngor Cenedlaethol a rhaid i'r Cyngor Cenedlaethol anfon copi o'r cynnig drafft at unrhyw berson sy'n gofyn amdano.

(4) Rhaid i'r Cyngor Cenedlaethol anfon copi o'r cynnig drafft -

(a) at yr awdurdod addysg lleol y mae'r sefydliad wedi'i leoli yn ei ardal neu y cynigir ei leoli ynddi; a

(b) at gorff llywodraethu unrhyw sefydliad yn y sector addysg bellach, neu gorff llywodraethu unrhyw ysgol sy'n cael ei chynnal gan awdurdod addysg lleol sy'n darparu addysg sy'n addas ar gyfer anghenion personau dros oedran ysgol gorfodol nad ydynt wedi cyrraedd pedair ar bymtheg mlwydd oed, o fewn y gymdogaeth; ac

(c) at unrhyw berson arall y mae'n ymddangos i'r Cyngor Cenedlaethol fod ganddo fuddiant.

Time and manner of publication of proposals under section 51(1)

4. -(1) Draft proposals referred to in section 51(1) (draft proposals for the establishment by the National Assembly of a body corporate under section 16(1) or (3) or the dissolution of any further education corporation by the National Assembly under section 27) which are required to be published by the National Council under section 51(2) shall be published (in accordance with paragraphs (2) and (4)) at least 4 months before the date specified in the draft proposals for the establishment or dissolution of the further education corporation.

(2) The National Council shall publish a summary of the proposals -

(a) in at least one newspaper circulating in the area served, or to be served, by the institution to which the draft proposal relates;

(b) by posting it in at least one conspicuous place within that area; and

(c) in the case of a draft proposal which relates to an existing institution, by posting it in a conspicuous place at or near the main entrance to that institution.

(3) The summary shall state that a copy of the draft proposal may be obtained free of charge from the National Council and the National Council shall send a copy of the draft proposal to any person who requests it.

(4) The National Council shall send a copy of the draft proposal to -

(a) the local education authority in whose area the institution is situated or is proposed to be situated,

(b) the governing body of any institution within the further education sector, or of any school maintained by a local education authority which provides education suitable to the requirements of persons over compulsory school age who have not attained the age of nineteen years, within the locality, and

(c) any other person who appears to the National Council to have an interest.

Y cyfnod ar gyfer cyflwyno sylwadau

5. Mae'r cyfnod y cyfeirir ato yn adran 51(2)(b), pan ellir cyflwyno sylwadau y mae'n rhaid i'r Cyngor Cenedlaethol eu hystyried, yn gyfnod o un mis gan ddechrau ar y diwrnod y mae'r olaf o'r digwyddiadau a ddisgrifir yn rheoliad 4(2) neu (4) uchod yn digwydd.

Cyhoeddi etc. y gorchmynion y cyfeirir atynt yn adran 51(3)(a)

6.-(1) Mae'r materion canlynol yn cael eu rhagnodi at ddibenion adran 51(3) mewn perthynas â'r gorchmynion y cyfeirir atynt yn adran 51(3)(a) (gorchmynion o dan adran 16(1) heblaw gorchmynion sy'n cael eu gwneud er mwyn rhoi effaith i gynnig gan y Cyngor Cenedlaethol) -

(a) rhaid i'r gorchymyn drafft gael ei gyhoeddi (yn unol ag is-baragraff (b)) cyn pen deufis cyn y dyddiad a bennir ynddo ar gyfer sefydlu'r corff corfforaethol;

(b) rhaid cyhoeddi crynodeb o'r gorchymyn drafft -

(i) mewn o leiaf un papur newydd sy'n cylchredeg yn yr ardal sy'n cael ei gwasanaethu, neu sydd i'w gwasanaethu, gan y sefydliad y mae'r gorchymyn drafft yn ymwneud â hi;

(ii) drwy ei osod mewn o leiaf un man amlwg yn yr ardal honno; ac

(iii) yn achos gorchymyn drafft sy'n ymwneud â sefydliad sy'n bodoli eisoes, drwy ei osod mewn man amlwg ym mhrif fynedfa'r sefydliad hwnnw neu wrth ei hymyl.

(2) Rhaid i'r crynodeb ddatgan bod modd cael copi o'r gorchymyn drafft yn rhad ac am ddim oddi wrth y Cynulliad Cenedlaethol a rhaid i'r Cynulliad Cenedlaethol anfon copi o'r gorchymyn drafft at unrhyw berson sy'n gofyn amdano.

(3) Rhaid i'r Cynulliad Cenedlaethol anfon copi o'r gorchymyn drafft -

(a) at yr awdurdod addysg lleol y mae'r sefydliad wedi'i leoli yn ei ardal neu y cynigir ei leoli ynddi; a

(b) at gorff llywodraethu unrhyw sefydliad yn y sector addysg bellach, neu gorff llywodraethu unrhyw ysgol sy'n cael ei chynnal gan awdurdod addysg lleol sy'n darparu addysg sy'n addas ar gyfer anghenion personau dros oedran ysgol gorfodol nad ydynt wedi cyrraedd pedair ar bymtheg mlwydd oed, o fewn y gymdogaeth, ac

(c) at unrhyw berson arall y mae'n ymddangos i'r Cynulliad Cenedlaethol fod ganddo fuddiant.

Period for making representations

5. The period referred to in section 51(2)(b), within which representations which have to be considered by the National Council may be made, is a period of one month beginning on the day the last of the events described in regulation 4(2) or (4) above takes place.

Publication etc. of orders referred to in section 51(3)(a)

6. -(1) The following matters are prescribed for the purposes of section 51(3) in relation to orders referred to in section 51(3)(a) (orders under section 16(1) other than orders made for the purpose of giving effect to a proposal by the National Council) -

(a) the draft order shall be published (in accordance with sub-paragraph (b)) no later than two months before the date specified in it for the establishment of the body corporate;

(b) a summary of the draft order shall be published -

(i) in at least one newspaper circulating in the area served, or to be served, by the institution to which the draft order relates,

(ii) by posting it in at least one conspicuous place within that area, and

(iii) in the case of a draft order which relates to an existing institution, by posting it in a conspicuous place at or near the main entrance to that institution.

(2) The summary shall state that a copy of the draft order may be obtained free of charge from the National Assembly and the National Assembly shall send a copy of the draft order to any person who requests it.

(3) The National Assembly shall send a copy of the draft order to -

(a) the local education authority in whose area the institution is situated or is proposed to be situated; and

(b) the governing body of any institution within the further education sector, or of any school maintained by a local education authority which provides education suitable to the requirements of persons over compulsory school age who have not attained the age of nineteen years, within the locality; and

(c) any other person who appears to the National Assembly to have an interest.

Cyhoeddi etc. y gorchmynion y cyfeirir atynt yn adran 51(3)(b)

7.-(1) Mae'r materion ym mharagraff (2) yn cael eu rhagnodi at ddibenion adran 51(3) mewn perthynas â'r gorchmynion y cyfeirir atynt yn adran 51(3)(b) (gorchmynion sy'n cael eu gwneud o dan adran 16(3) heblaw gorchmynion sy'n cael eu gwneud er mwyn rhoi effaith i gynnig gan y Cyngor Cenedlaethol).

(2) Rhaid i'r gorchymyn drafft gael ei gyhoeddi cyn pen deufis cyn y dyddiad a bennir ynddo ar gyfer sefydlu corff corfforaethol trwy anfon copi -

(a) at gorff llywodraethu'r sefydliad y cyfeirir ato ynddo;

(b) at yr awdurdod addysg lleol, os oes un, sy'n cynnal y sefydliad ac, yn achos ysgol wirfoddol neu ysgol sefydledig sydd â chymeriad crefyddol at ddibenion Rhan II o Ddeddf Safonau a Fframwaith Ysgolion 1998, at awdurdod priodol unrhyw enwad crefyddol o dan sylw; ac

(c) at unrhyw berson arall y mae'n ymddangos i'r Cynulliad Cenedlaethol fod ganddo fuddiant.

Diddymu a darpariaethau trosiannol

8.-(1) Mae Rheoliadau Addysg (Cyhoeddi Cynigion a Gorchmynion Drafft) (Corfforaethau Addysg Bellach) 1992(**a**) ("Rheoliadau 1992") yn cael eu diddymu.

(2) At ddibenion rheoliad 5 o'r Rheoliadau hyn rhaid ymdrin ag unrhyw beth a wnaed yn unol â rheoliad 4 o Reoliadau 1992 fel petai wedi'i wneud o dan y ddarpariaeth gyfatebol yn rheoliad 4 o'r Rheoliadau hyn.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**b**)

24 Mai 2001

Llywydd y Cynulliad Cenedlaethol

Publication etc. of orders referred to in section 51(3)(b)

7. -(1) The matters in paragraph (2) are prescribed for the purposes of section 51(3) in relation to orders referred to in section 51(3)(b) (orders made under section 16(3) other than orders made for the purpose of giving effect to a proposal by the National Council).

(2) The draft order shall be published no later than two months before the date specified in it for the establishment of a body corporate by sending a copy to -

(a) the governing body of the institution referred to therein;

(b) the local education authority, if any, which maintains the institution and, in the case of a voluntary or foundation school which has a religious character for the purposes of Part II of the School Standards and Framework Act 1998, the appropriate authority of any religious denomination concerned; and

(c) any person who appears to the National Assembly to have an interest.

Revocation and transitional provisions

8. -(1) The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) Regulations 1992(**a**) ("the 1992 Regulations") are revoked.

(2) For the purposes of regulation 5 of these Regulations anything done pursuant to regulation 4 of the 1992 Regulations shall be treated as done under the corresponding provision of regulation 4 of these Regulations.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**b**)

24th May 2001

D. Elis Thomas

The Presiding Officer of the National Assembly

(a) O.S. 1992/2361.

(b) 1998 p.38.

(a) S.I. 1992/2361.

(b) 1998 p.38.

CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2069 (Cy.141)

ADDYSG, CYMRU

Rheoliadau Addysg (Cyhoeddi Cynigion a Gorchmynion Drafft) (Corfforaethau Addysg Bellach) (Cymru) 2001

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 2069 (W.141)

EDUCATION, WALES

The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (Wales) Regulations 2001

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