



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 872 (Cy.87)

2004 No. 872 (W.87)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Trefniadau
Ymsefydlu ar gyfer Athrawon
Ysgol) (Diwygio) (Cymru)
2004

The Education (Induction
Arrangements for School Teachers)
(Amendment) (Wales) Regulations
2004

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) 2003 (Rheoliadau 2003).

These Regulations amend the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003 (the 2003 Regulations).

Mae rheoliadau 3 a 4 yn diweddarau'r diffiniadau yn rheoliad 2 o Reoliadau 2003 ac yn diwygio rheoliad 6 o Reoliadau 2003 er mwyn cyfeirio at ddarpariaethau perthnasol Deddf Addysg 2002 (Deddf 2002).

Regulations 3 and 4 update the definitions in regulation 2 of the 2003 Regulations and amend regulation 6 of the 2003 Regulations so as to refer to the relevant provisions of the Education Act 2002 (the 2002 Act).

Mae rheoliad 5 yn diwygio rheoliad 8 o Reoliadau 2003 er mwyn darparu y gall cyfnodau o gyflogaeth sy'n cyfrif tuag at gyfnod ymsefydlu gynnwys dau hanner tymor sy'n dilyn ei gilydd yn ogystal â thymhorau llawn. Mae hefyd yn galluogi penaethiaid, naill ai cyn i'r cyfnod gychwyn neu o fewn pythefnos ar ôl iddo gychwyn, i gytuno y caiff cyfnodau o gyflogaeth fel athrawon cyflenwi gyfrif tuag at gyfnod ymsefydlu.

Regulation 5 amends regulation 8 of the 2003 Regulations so as to provide that periods of employment that count towards an induction period can consist of two consecutive half terms as well as complete terms. It also enables, either before the start of the period or within two weeks of its start, head teachers to agree that periods of employment as supply teachers may count towards an induction period.

Mae rheoliad 6 yn diwygio rheoliad 9 o Reoliadau 2003 er mwyn galluogi personau sy'n absennol o achos absenoldeb mabwysiadu cyffredin, absenoldeb rheiiniol neu absenoldeb tadolaeth (yn ogystal ag absenoldeb mamolaeth) i ddewis estyn cyfnod ymsefydlu.

Regulation 6 amends regulation 9 of the 2003 Regulations so as to enable persons who are absent by reason of ordinary adoption leave, parental leave or paternity leave (in addition to maternity leave) to choose to extend an induction period.

Mae rheoliad 7 yn diwygio rheoliad 18 o Reoliadau 2003 er mwyn darparu bod y corff priodol yn gallu awdurdodi personau sydd eisoes wedi gweithio yn ystod cyfnod o flwyddyn a thymor fel athrawon cyflenwi i gael eu cyflogi felly am ddeuddeg mis arall.

Regulation 7 amends regulation 18 of the 2003 Regulations so as to provide that the appropriate body can authorise persons who have already worked during a period of a year and a term as supply teachers to be so employed for a further twelve months. Absences by

Anwybyddir absenoldebau o achos absenoldeb mamolaeth, absenoldeb mabwysiadu cyffredin, absenoldeb rhieiniol neu absenoldeb tadolaeth wrth gyfrifo'r deuddeg mis hynny.

Mae rheoliad 8 yn diwygio Atodlen 1 i Reoliadau 2003 er mwyn -

- darparu bod y cyfnod o un flwyddyn ac un tymor, pan ellir cyflogi personau fel athrawon cyflenwi heb iddi fod yn ofynnol iddynt wasanaethu cyfnod ymsefydlu, yn cychwyn o'r adeg pan gyflogir y personau hynny gyntaf fel athrawon cyflenwi mewn ysgol berthnasol ac y caiff unrhyw absenoldeb am resymau absenoldeb mamolaeth, absenoldeb mabwysiadu cyffredin, absenoldeb rhieiniol neu absenoldeb tadolaeth ei anwybyddu wrth gyfrifo'r cyfnod hwnnw;
- galluogi personau a awdurdodir o dan reoliad 18(2) newydd o Reoliadau 2003 i gael eu cyflogi heb iddi fod yn ofynnol iddynt wasanaethu cyfnod ymsefydlu;
- galluogi personau sy'n gwasanaethu cyfnod ymsefydlu, a hwythau'n athrawon rhan-amser, i wneud gwaith cyflenwi hefyd er eu bod eisoes wedi gweithio fel athrawon cyflenwi am un flwyddyn ac un tymor;
- yn lle'r cyfeiriad at athrawon anghymwysedig rhoi cyfeiriad at athrawon ysgol o fewn yr ystyr sydd i hynny yn adran 122(5) o Ddeddf 2002;
- ychwanegu cyfeiriad at y Cytundeb gyda'r Swistir sy'n galluogi athrawon sydd wedi ymgymhwyso yn y Swistir i gael eu heithrio o'r gofyniad i wasanaethu cyfnod ymsefydlu, fel yn achos dinasyddion yr AEE;
- ychwanegu, fel categori newydd o bersonau a eithrir o'r gofyniad i wasanaethu cyfnod ymsefydlu, athrawon sydd wedi ymgymhwyso dramor, y mae ganddynt ddwy flynedd o brofiad dysgu, sy'n athrawon cymwysedig yng Nghymru o dan y rhaglen athrawon graddedig, ac y cafwyd yn sgil eu hasesu eu bod yn bodloni'r safonau ymsefydlu.

reason of maternity leave, ordinary adoption leave, parental leave or paternity leave are to be disregarded in calculating those twelve months.

Regulation 8 amends Schedule 1 to the 2003 Regulations so as to -

- provide that the limit of one year and one term during which persons can be employed as supply teachers without being required to serve an induction period begins from the time those persons are first employed as supply teachers at a relevant school and that in calculating that period any absence by reason of maternity leave, ordinary adoption leave, parental leave or paternity leave is to be disregarded;
- enable persons who are authorised under the new regulation 18(2) of the 2003 Regulations to be employed without being required to serve an induction period;
- enable persons who are serving an induction period as part-time teachers also to do supply teaching even though they have already worked as supply teachers for one year and one term;
- substitute the reference to unqualified teachers with a reference to school teachers within the meaning of section 122(5) of the 2002 Act;
- add a reference to the Swiss Agreement which enables teachers qualified in Switzerland to be exempt from the requirement to serve an induction period, in the same way as EEA nationals;
- add as a new category of persons who are exempt from the requirement to serve an induction period teachers who qualified overseas, have two years' teaching experience, are qualified teachers in Wales by virtue of the graduate teacher programme and who have been assessed as meeting the induction standards.

2004 Rhif 872 (Cy.87)**2004 No. 872 (W.87)****ADDYSG, CYMRU****EDUCATION, WALES****Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Diwygio) (Cymru) 2004****The Education (Induction Arrangements for School Teachers) (Amendment) (Wales) Regulations 2004***Wedi'u gwneud**23 Mawrth 2004**Made**23rd March 2004**Yn dod i rym**1 Ebrill 2004**Coming into force**1st April 2004*

Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 19 a 42(6) a (7) o Ddeddf Addysgu ac Addysg Uwch 1998(a) ac sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru(b), mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol:

In exercise of the powers conferred on the Secretary of State by sections 19 and 42(6) and (7) of the Teaching and Higher Education Act 1998(a) and now vested in the National Assembly for Wales(b), the National Assembly for Wales makes the following Regulations:

Enwi, cychwyn a chymhwyso**Name, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Diwygio) (Cymru) 2004 a deuant i rym ar 1 Ebrill 2004.

1.-(1) These Regulations are called the Education (Induction Arrangements for School Teachers) (Amendment) (Wales) Regulations 2004 and come into force on 1st April 2004.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â Chymru.

(2) These Regulations apply in relation to Wales.

Diwygio Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) 2003**Amendment of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003**

2. Mae Rheoliadau Addysg (Trefniadau Ymsefydlu ar gyfer Athrawon Ysgol) (Cymru) 2003(c) yn cael eu diwygio fel a ganlyn.

2. The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003(c) are amended as follows.

3. Yn rheoliad 2(1) -

3. In regulation 2(1) -

(a) 1998 p.30; i gael ystyr "prescribed" a "regulations" gweler adran 43(1).

(a) 1998 c.30; for the meaning of "prescribed" and "regulations" see section 43(1).

(b) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) The functions of the Secretary of State under these sections were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) O.S. 2003/543 (Cy.77).

(c) S.I. 2003/543 (W.77).

(a) mewnosoder ar ôl y diffiniad o "cyflogwr" y diffiniadau canlynol-

"ystyr "cyfnod absenoldeb mabwysiadu cyffredin" ("*ordinary adoption leave period*") yw cyfnod o absenoldeb mabwysiadu cyffredin o dan Ran 3 o Reoliadau Absenoldeb Tadolaeth a Mabwysiadu 2002 (a);

ystyr "cyfnod absenoldeb mamolaeth" ("*maternity leave period*") yw'r cyfnod absenoldeb mamolaeth a nodir yn rheoliad 7(1) o Reoliadau Absenoldeb Mamolaeth a Rhieiniol etc 1999(b);

ystyr "cyfnod absenoldeb rhieiniol" ("*parental leave period*") yw cyfnod o absenoldeb rhieiniol o dan Ran III o Reoliadau Absenoldeb Mamolaeth a Rhieiniol etc 1999;

ystyr "cyfnod absenoldeb tadolaeth" ("*paternity leave period*") yw cyfnod o absenoldeb tadolaeth o dan Ran 2 o Reoliadau Absenoldeb Tadolaeth a Mabwysiadu 2002;"

(b) yn y diffiniad o "cyfnod allweddol" yn lle'r geiriau "adran 355(1) o Ddeddf 1996" rhodder y geiriau "adran 103(1) o Ddeddf 2002";

(c) mewnosoder ar ôl y diffiniad o "Deddf 1998" y diffiniad canlynol-

"ystyr "Deddf 2002" ("*the 2002 Act*") yw Deddf Addysg 2002(c);";

(ch) hepgorer y diffiniad o "pwnc craidd";

(d) hepgorer y diffiniad o "pwnc sylfaen".

4.-(1) Caiff Rheoliad 6 ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (2)(a) yn lle'r geiriau "adran 15(6)(a) i (c)" rhodder y geiriau "adran 15(6) (a) a (b)".

(3) Ym mharagraff (3)(a) yn lle'r geiriau "adran 354(3) o Ddeddf 1996" rhodder y geiriau "adran 105(2) a (3) ac adran 106(2) a (3) o Ddeddf 2002".

(4) Ym mharagraff (3)(b) yn lle'r geiriau "adran 353" i'r diwedd rhodder y geiriau "adran 105(1) o Ddeddf 2002 (Cwricwlwm Cenedlaethol Cymru) heblaw mewn perthynas â threfniadau asesu; ac".

5.-(1) Caiff rheoliad 8 ei ddiwygio fel a ganlyn.

(2) Ym mharagraff (1) mewnosoder ar ôl y geiriau "o hyd" y geiriau ", neu, yn ddarostyngedig i baragraff (1A), dau hanner tymor ysgol,".

(3) Mewnosoder y canlynol ar ôl paragraff (1) -

(a) O.S. 2002/2788, fel y'i diwygiwyd gan O.S. 2003/921.

(b) O.S. 1999/3312, fel y'i diwygiwyd gan O.S. 2001/4010.

(c) 2002 p.32.

(a) insert after the definition of "the 1998 Act" the following definition -

""the 2002 Act" ("*Deddf 2002*") means the Education Act 2002(a);";

(b) omit the definition of "core subject";

(c) omit the definition of "foundation subject";

(d) in the definition of "key stage" substitute for the words "section 355(1) of the 1996 Act" the words "section 103(1) of the 2002 Act";

(e) insert after the definition of "key stage" the following definition -

""maternity leave period" ("*cyfnod absenoldeb mamolaeth*") means the maternity leave period specified in regulation 7(1) of the Maternity and Parental Leave etc Regulations 1999(b);"

(f) insert after the definition of "non-maintained special school" the following definitions -

""ordinary adoption leave period" ("*cyfnod absenoldeb mabwysiadu arferol*") means a period of ordinary adoption leave under Part 3 of the Paternity and Adoption Leave Regulations 2002(c);

"parental leave period" ("*cyfnod absenoldeb rhieiniol*") means a period of parental leave under Part III of the Maternity and Parental Leave etc Regulations 1999;

"paternity leave period" ("*cyfnod absenoldeb tadolaeth*") means a period of paternity leave under Part 2 of the Paternity and Adoption Leave Regulations 2002;"

4.-(1) Regulation 6 is amended as follows.

(2) In paragraph (2)(a) for the words "section 15(6)(a) to (c)" substitute the words "section 15(6)(a) and (b)".

(3) In paragraph (3)(a) for the words "section 354(3) of the 1996 Act" substitute the words "section 105(2) and (3) and section 106(2) and (3) of the 2002 Act".

(4) In paragraph (3)(b) for the words "section 353" to the end substitute the words "section 105(1) of the 2002 Act (the National Curriculum for Wales) other than in relation to assessment arrangements; and".

5.-(1) Regulation 8 is amended as follows.

(2) In paragraph (1) insert after the words "in duration" the words ", or, subject to paragraph (1A), two half school terms,".

(3) Insert after paragraph (1) the following -

(a) 2002 c.32.

(b) S.I. 1999/3312, as amended by S.I. 2001/4010.

(c) S.I. 2002/2788, as amended by S.I. 2003/921.

"(1A) Os yw cyfnod o gyflogaeth o dan baragraff (1) yn ddau hanner tymor ysgol yna mae'n rhaid i'r ddau hanner tymor ysgol hynny ddilyn ei gilydd (gan anwybyddu gwyliau ysgol)."

(4) Ym mharagraff (2) mewnosoder ar ôl y geiriau "o hyd" y geiriau ", neu, yn ddarostyngedig i baragraff (2A), dau hanner tymor,".

(5) Mewnosoder y canlynol ar ôl paragraff (2) -

"(2A) Os yw cyfnod o gyflogaeth o dan baragraff (2) yn ddau hanner tymor yna mae'n rhaid i'r ddau hanner tymor hynny ddilyn ei gilydd (gan anwybyddu gwyliau)."

(6) Ar ddiwedd paragraff (3) ychwaneger y canlynol -
"neu o fewn 2 wythnos o gychwyn y cyfnod".

6. Caiff rheoliad 9 ei ddiwygio trwy roi yn lle paragraff (2) y canlynol -

"(2) Nid yw paragraff (1) yn gymwys i absenoldeb o'r gwaith oherwydd cyfnod absenoldeb mamolaeth, cyfnod absenoldeb mabwysiadu cyffredin, cyfnod absenoldeb rhieiniol neu gyfnod absenoldeb tadolaeth oni bai bod y person yn dewis hynny."

7.-(1) Caiff Rheoliad 18 ei ddiwygio fel a ganlyn.

(2) Caiff y geiriad presennol ei ailrifo'n baragraff (1).

(3) Mewnosoder y canlynol ar ôl paragraff (1) a ailrifwyd -

"(2) Yn ddarostyngedig i baragraff (3) caiff y corff priodol awdurdodi bod person na ellir ei gyflogi mwyach fel athro neu athrawes gyflenwi o dan baragraff 4 o Atodlen 1 yn cael ei gyflogi am gyfnod neu gyfnodau o lai nag un tymor fel athro neu athrawes gyflenwi.

(3) Dim ond yn ystod cyfnod o ddeuddeg mis yn cychwyn ar y dyddiad y cyflogir y person gyntaf fel athro neu athrawes gyflenwi (gan unrhyw gyflogwr) y caiff person ei gyflogi felly yn unol â pharagraff (2).

(4) Yn ddarostyngedig i baragraff (6) anwybyddir cyfnod y mae paragraff (5) yn gymwys iddo wrth gyfrifo'r cyfnod o ddeuddeg mis y cyfeirir ato ym mharagraff (3).

(5) Mae'r paragraff hwn yn gymwys i gyfnod pan nad yw person yn gweithio oherwydd amgylchiadau a fyddai'n rhoi hawl i gyflogai y mae Rheoliadau Absenoldeb Mamolaeth a Rhieiniol etc 1999 neu Reoliadau Absenoldeb Tadolaeth a Mabwysiadu 2002 yn gymwys iddo, i gael cyfnod absenoldeb mamolaeth, cyfnod absenoldeb mabwysiadu cyffredin, cyfnod absenoldeb rhieiniol neu gyfnod absenoldeb tadolaeth, yn ôl y digwydd.

"(1A) Where a period of employment under paragraph (1) is two half school terms, then (disregarding school holidays) those half school terms must be consecutive."

(4) In paragraph (2) insert after the words "in duration" the words ", or, subject to paragraph (2A), two half terms,".

(5) Insert after paragraph (2) the following -

"(2A) Where a period of employment under paragraph (2) is two half terms, then (disregarding holidays) those half terms must be consecutive."

(6) At the end of paragraph (3) add the following -
"or within 2 weeks of its start".

6. Regulation 9 is amended by substituting for paragraph (2) the following -

"(2) Paragraph (1) does not apply to an absence from work by reason of a maternity leave period, an ordinary adoption leave period, a parental leave period or a paternity leave period unless the person so chooses."

7.-(1) Regulation 18 is amended as follows.

(2) The existing wording is renumbered as paragraph (1).

(3) Insert after the renumbered paragraph (1) the following -

"(2) Subject to paragraph (3) the appropriate body may authorise a person who can no longer be employed as a supply teacher under paragraph 4 of Schedule 1 to be employed for a period or periods of less than one term as a supply teacher.

(3) A person may only be employed as a supply teacher pursuant to paragraph (2) during a period of twelve months commencing on the date that he or she is first so employed (by any employer).

(4) Subject to paragraph (6), a period to which paragraph (5) applies is to be disregarded in calculating the period of twelve months referred to in paragraph (3).

(5) This paragraph applies to a period during which a person does not work because of circumstances which would entitle an employee to whom the Maternity and Parental Leave etc Regulations 1999 or the Paternity and Adoption Leave Regulations 2002 applied, to a maternity leave period, an ordinary adoption leave period, a parental leave period or a paternity leave period, as the case may be.

(6) Mae'r cyfnod sydd i'w anwybyddu o dan baragraff (4) yn gyfnod o'r un hyd â'r cyfnod absenoldeb mamolaeth, y cyfnod absenoldeb mabwysiadu cyffredin, y cyfnod absenoldeb rhieiniol neu'r cyfnod absenoldeb tadolaeth perthnasol, neu os yw'n fyrrach, y cyfnod pan nad yw'r person yn gweithio."

8.-(1) Diwygir Atodlen 1 fel a ganlyn.

(2) Yn lle paragraff 4 rhodder y canlynol -

"4.-(1) Person a gyflogir fel athro neu athrawes gyflenwi pan fo'r cyfnod neu'r cyfnodau cyflogaeth, ym mhob achos, yn llai nag un tymor, ac nad yw'r cyfnod er pan gyflogwyd y person gyntaf fel athro neu athrawes gyflenwi mewn ysgol berthnasol (gan unrhyw gyflogwr) yn fwy nag un flwyddyn ac un tymor.

(2) Yn ddarostyngedig i baragraff (4) anwybyddir cyfnod y mae is- baragraff (3) yn gymwys iddo wrth gyfrifo'r cyfnod o un flwyddyn ac un tymor y cyfeirir ato yn is-baragraff (1).

(3) Mae'r is-baragraff hwn yn gymwys i gyfnod pan nad yw person yn gweithio oherwydd amgylchiadau a fyddai'n rhoi hawl i gyflogai y mae Rheoliadau Absenoldeb Mamolaeth a Rhieiniol etc 1999 neu Reoliadau Absenoldeb Tadolaeth a Mabwysiadu 2002 yn gymwys iddo, i gael cyfnod absenoldeb mamolaeth, cyfnod absenoldeb mabwysiadu cyffredin, cyfnod absenoldeb rhieiniol neu gyfnod absenoldeb tadolaeth, yn ôl y digwydd.

(4) Mae'r cyfnod sydd i'w anwybyddu o dan is-baragraff (2) yn gyfnod o'r un hyd â'r cyfnod absenoldeb mamolaeth, y cyfnod absenoldeb mabwysiadu cyffredin, y cyfnod absenoldeb rhieiniol neu'r cyfnod absenoldeb tadolaeth perthnasol, neu os yw'n fyrrach, y cyfnod pan nad yw'r person yn gweithio."

(3) Ar ôl paragraff 4, mewnosoder y paragraffau canlynol -

"4A. Person a gyflogir fel athro neu athrawes gyflenwi yn rhinwedd rheoliad 18(2).

4B. Person na ellir ei gyflogi mwyach o dan baragraff 4 ond a gyflogir am gyfnod o lai nag un tymor fel athro neu athrawes gyflenwi tra bo'n gwasanaethu cyfnod ymsefydlu wrth weithio'n rhan-amser."

(4) Rhodder y paragraff canlynol yn lle paragraff 5 -

"5. Person sy'n athro ysgol o fewn yr ystyr sydd i hynny yn adran 122(5) o Ddeddf 2002. "

(6) The period to be disregarded under paragraph (4) is to be a period equal to the relevant maternity leave period, ordinary adoption leave period, parental leave period or paternity leave period, or, if shorter, the period during which the person does not work."

8.-(1) Schedule 1 is amended as follows.

(2) For paragraph 4 substitute the following -

"4.-(1) A person employed as a supply teacher where the period or periods of employment are in each case less than one term, and the period since the person was first employed as a supply teacher in a relevant school (by any employer) does not exceed one year and one term.

(2) Subject to paragraph (4), a period to which sub-paragraph (3) applies is to be disregarded in calculating the period of one year and one term referred to in sub-paragraph (1).

(3) This sub-paragraph applies to a period during which a person does not work because of circumstances which would entitle an employee to whom the Maternity and Parental Leave etc Regulations 1999 or the Paternity and Adoption Leave Regulations 2002 applied, to a maternity leave period, an ordinary adoption leave period, a parental leave period or a paternity leave period, as the case may be.

(4) The period to be disregarded under paragraph (2) is to be a period equal to the relevant maternity leave period, ordinary adoption leave period, parental leave period or paternity leave period, or, if shorter, the period during which the person does not work."

(3) After paragraph 4, insert the following paragraphs -

"4A. A person employed as a supply teacher by virtue of regulation 18(2).

4B. A person who can no longer be employed under paragraph 4 but who is employed for a period of less than one term as a supply teacher while serving an induction period in part-time service."

(4) Substitute the following paragraph for paragraph 5 -

"5. A person who is a school teacher within the meaning of section 122(5) of the 2002 Act. "

(5) Ar ddiwedd paragraff 9 ychwaneger y geiriau ", ac fel y'i diwygiwyd gan y Cytundeb ar Ryddid i Bobl Symud a wnaed rhwng y Gymuned Ewropeaidd a'i Haelod-wladwriaethau, ar y naill law, a Chyddfederasiwn y Swistir, ar y llaw arall, a lofnodwyd yn Lwcsembwrg ar 21 Mehefin 1999(a) ac a ddaeth i rym ar 1 Mehefin 2002."

(6) Ar ôl paragraff 19 ychwaneger y paragraff canlynol -

"20. Person -

- (a) sydd wedi cwblhau yn llwyddiannus raglen o hyfforddiant proffesiynol i athrawon mewn unrhyw wlad y tu allan i'r Deyrnas Unedig a bod yr hyfforddiant hwnnw'n cael ei gydnabod felly gan yr awdurdod cymwys yn y wlad honno;
- (b) nad oes ganddo lai na dwy flynedd o brofiad dysgu llawnamser, neu yr hyn sy'n cyfateb i hynny yn y Deyrnas Unedig neu yn rhywle arall;
- (c) sy'n athro neu'n athrawes gymwysedig yn rhinwedd paragraff 7 o Atodlen 3 i Reoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999(b); a
- (ch) y cafwyd, pan gafodd ei asesu gan berson a gymeradwywyd gan y Cynulliad Cenedlaethol, ei fod yn bodloni'r safonau a grybwyllir yn rheoliad 13."

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

23 Mawrth 2004

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

(5) Add at the end of paragraph 9 the words ", and as amended by the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the Free Movement of Persons signed at Luxembourg on 21 June 1999(a) and which came into force on 1 June 2002."

(6) Add after paragraph 19, the following paragraph -

"20. A person who -

- (a) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such by the competent authority in that country;
- (b) has no less than two years' full-time teaching experience, or its equivalent in the United Kingdom or elsewhere;
- (c) is a qualified teacher by virtue of paragraph 7 of Schedule 3 to the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999(b); and
- (d) has been assessed by a person approved by the National Assembly as meeting the standards mentioned in regulation 13."

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

23rd March 2004

The Deputy Presiding Officer of the National Assembly

(a) Cm 4904.

(b) O.S. 1999/2817 (Cy.18) a ddiwygiwyd gan O.S. 2002/1663 (Cy.158), 2002/2938 (Cy.279), 2003/140 (Cy.12) a 2003/2458 (Cy.240).

(c) 1998 p.38.

(a) Cm 4904.

(b) S.I. 1999/2817 (W.18) as amended by S.I. 2002/1663 (W.158), 2002/2938 (W.279), 2003/140 (W.12) and 2003/2458 (W.240).

(c) 1998 c.38.

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