CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

# 2005 Rhif 1208 (Cy.80)

# ADDYSG, CYMRU

## Gorchymyn Ciniawau Ysgol (Gofyniad Rhagnodedig) (Cymru) 2005

### NODYN ESBONIADOL

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

Mae adran 512(3) o Ddeddf Addysg 1996 fel y'i diwygiwyd gan adran 201 o Ddeddf Addysg 2002 yn gosod dyletswydd ar Awdurdodau Addysg Lleol i ddarparu ciniawau ysgol i ddisgyblion sydd yn gymwys i giniawau ysgol yn rhad ac am ddim, ac eraill, ar yr amod bod unrhyw ofynion rhagnodedig yn cael eu bodloni. Mae'r Gorchymyn hwn yn rhagnodi gofyniad o'r fath.

Mae'r gofyniad yn cael ei nodi yn erthygl 3. Mae'n gymwys yn unig i ddisgyblion cofrestredig sy'n derbyn addysg feithrin; rhaid iddynt fod yn bresennol am ddwy sesiwn lawn ar unrhyw ddiwrnod pan fyddant yn mynychu'r ysgol i beri bod dyletswydd i ddarparu cinio ar y diwrnod hwnnw.

Mae erthygl 4 yn cynnwys darpariaeth drosiannol i atal disgyblion sydd yn derbyn addysg feithrin ran-amser mewn ysgolion a gynhelir, sydd eisioes yn derbyn ciniawau ysgol yn rhad ac am ddim yn union cyn 1 Ebrill 2003, rhag colli'r hawl i giniawau o'r fath.

Mae erthygl 5 yn dirymu Gorchymyn Addysg (Ciniawau Ysgol) (Gofyniad Rhagnodedig) (Cymru) 2003.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

# 2005 No. 1208 (W.80)

# EDUCATION, WALES

## The School Lunches (Prescribed Requirement) (Wales) Order 2005

### EXPLANATORY NOTE

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

Section 512(3) of the Education Act 1996, as amended by section 201 of the Education Act 2002 places a duty on Local Education Authorities to provide school lunches to pupils eligible for free school lunches and others, provided any prescribed requirements are met. This Order prescribes such a requirement.

The requirement is set out in article 3. It only applies to registered pupils receiving nursery education; they must be present for two full sessions on any day on which they attend school for there to be a duty to provide lunch on that day.

Article 4 contains a transitional provision, to prevent pupils receiving part-time nursery education at maintained schools for whom school lunches are already being provided immediately before 1 April 2003, from losing their entitlement to such lunches.

Article 5 revokes the Education (School Lunches) (Prescribed Requirement) (Wales) Order 2003.

OFFERYNNAU STATUDOL

# 2005 Rhif 1208 (Cy.80)

# ADDYSG, CYMRU

## Gorchymyn Ciniawau Ysgol (Gofyniad Rhagnodedig) (Cymru) 2005

| | |
|---|---|
| *Wedi'i wneud* | *19 Ebrill 2005* |
| *Yn dod i rym* | *30 Ebrill 2005* |

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 512(3) a 568 o Ddeddf Addysg 1996(**1**) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(**2**).

**Enwi, cychwyn a chymhwyso**

**1**.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Ciniawau Ysgol (Gofyniad Rhagnodedig) (Cymru) 2005 a daw i rym ar 30 Ebrill 2005.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

**Dehongli**

**2**. Yn y Gorchymyn hwn -

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Addysg 1996;

ystyr "addysg feithrin" ("*nursery education*") yw addysg sy'n addas ar gyfer plant nad ydynt wedi cyrraedd oedran ysgol gorfodol; ac

mae'r cyfeiriad at ysgol a gynhelir yn gyfeiriad at ysgol a gynhelir gan awdurdod addysg lleol o fewn ystyr adran 512(6) o Ddeddf 1996.

**Gofyniad rhagnodedig ar gyfer ciniawau ysgol**

**3**.-(1) Rhagnodir y gofyniad canlynol at ddiben adran 512(3)(a) o Ddeddf 1996.

(2) Rhaid i ddisgybl cofrestredig sy'n derbyn addysg

(1) 1996 p.56; amnewidir adran 512 gan adran 201 o Ddeddf Addysg 2002 (p. 32). I gael ystyr "prescribed" *gweler* adran 512(6).

(2) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac adran 211(1) a (2) o Ddeddf Addysg 2002.

STATUTORY INSTRUMENTS

# 2005 No. 1208 (W.80)

# EDUCATION, WALES

## The School Lunches (Prescribed Requirement) (Wales) Order 2005

| | |
|---|---|
| *Made* | *19 April 2005* |
| *Coming into force* | *30 April 2005* |

The National Assembly for Wales makes the following Order in exercise of the powers conferred on the Secretary of State by sections 512(3) and 568 of the Education Act 1996(**1**) and now vested in the National Assembly for Wales(**2**).

**Name, commencement and application**

**1**.-(1) This Order is called the School Lunches (Prescribed Requirement) (Wales) Order 2005 and shall come into force on 30 April 2005.

(2) This Order applies in relation to Wales.

**Interpretation**

**2**. In this Order -

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996;

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

the reference to a maintained school is a reference to a school maintained by a local education authority within the meaning of section 512(6) of the 1996 Act.

**Prescribed requirement for school lunches**

**3**.-(1) The following requirement is prescribed for the purpose of section 512(3)(a) of the 1996 Act.

(2) A registered pupil who is receiving nursery

(1) 1996 c.56; section 512 is substituted by section 201 of the Education Act 2002 (c.32). For the meaning of "prescribed", *see* section 512(6).

(2) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and section 211(1) and (2) of the Education Act 2002.

feithrin fod yn bresennol am ddwy sesiwn lawn ar unrhyw ddiwrnod pan fydd yn yr ysgol i beri bod dyletswydd i ddarparu cinio ar y diwrnod hwnnw.

**Darpariaeth drosiannol**

**4**. Bydd disgybl sy'n derbyn addysg feithrin mewn ysgol a gynhelir y mae cinio ysgol yn cael ei ddarparu iddo yn union cyn 1 Ebrill 2003 yn cael ei drin fel pe na bai unrhyw ofynion rhagnodedig yn gymwys i'r disgybl hwnnw o dan adran 512(3)(a) o Ddeddf 1996 hyd nes y bydd yn gorffen derbyn addysg feithrin.

**Dirymu**

**5**. Mae Gorchymyn Addysg (Ciniawau Ysgol) (Gofyniad Rhagnodedig) (Cymru) 2003(**1**) drwy hyn yn cael ei ddirymu.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**2**).

19 Ebrill 2005

education must be present for two full sessions on any day on which he or she attends school for there to be a duty to provide lunch on that day.

**Transitional provision**

**4**. A pupil receiving nursery education at a maintained school for whom school lunches are being provided immediately before 1 April 2003 must, until that pupil ceases to receive nursery education, be treated as if there were no prescribed requirements applying to that pupil under section 512(3)(a) of the 1996 Act.

**Revocation**

**5**. The Education (School Lunches) (Prescribed Requirement) (Wales) Order 2003(**1**) is hereby revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**2**).

19 April 2005

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) O.S. 2003/880 (Cy.111).

(2) 1998 p.38.

(1) S.I. 2003/880 (W.111).

(2) 1998 c.38.

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Gorchymyn Ciniawau Ysgol (Gofyniad Rhagnodedig) (Cymru) 2005

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## EDUCATION, WALES

The School Lunches (Prescribed Requirement) (Wales) Order 2005

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