OFFERYNNAU STATUDOL CYMRU

2014 Rhif 3267 (Cy. 334)

ADDYSG, CYMRU

Rheoliadau Mesur Addysg (Cymru) 2009 (Treialu) (Dirymu) 2014

NODYN ESBONIADOL

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

Mae Rheoliadau Mesur Addysg (Cymru) 2009 (Treialu) 2012 ("Rheoliadau 2012") yn gwneud darpariaeth i dreialu darpariaethau Deddf Addysg 1996 (ar apelau anghenion addysgol arbennig) a Deddf Cydraddoldeb 2010 (ar hawliadau gwahaniaethu ar sail anabledd) fel y'u diwygiwyd gan Ran 1 o Fesur Addysg (Cymru) 2009 ("y Mesur"). Effaith Rheoliadau 2012, o'u cyfuno â'r darpariaethau yng Ngorchymyn Mesur Addysg (Cymru) 2009 (Cychwyn Rhif 3 a Darpariaethau Trosiannol) 2012 ("y Gorchymyn Cychwyn") yw nad yw'r diwygiadau a wneir gan Ran 1 o'r Mesur i Ddeddf Addysg 1996 a Deddf Cydraddoldeb 2010 yn gymwys ond at ddibenion treialu yn ardaloedd awdurdodau lleol Sir Caerfyrddin a Wrecsam.

Roedd Rheoliadau 2012 yn gymwys o 6 Mawrth 2012 ac roeddent yn darparu y byddent yn peidio â chael effaith ar ddiwedd 30 Mehefin 2015. Mae rheoliad 2 o'r Rheoliadau hyn yn dirymu Rheoliadau 2012 yn eu cyfanrwydd o ddyddiad cynharach, sef 5 Ionawr 2015. Mae rheoliad 2 hefyd yn darparu bod erthygl 4 o'r Gorchymyn Cychwyn wedi ei dirymu. Roedd honno yn darparu ar gyfer parhau i gymhwyso adrannau 332A a 332B o Ddeddf Addysg 1996 i awdurdodau lleol yng Nghymru nad oeddent yn rhan o'r treialu, fel pe na bai'r diwygiadau a wnaed i'r adrannau hynny gan y Mesur mewn grym.

Effaith y dirymiadau a wneir gan y Rheoliadau hyn yw dod â'r treialu i ben gyda'r canlyniad bod y diwygiadau i Ddeddf Addysg 1996 a Deddf Cydraddoldeb 2010 a wneir gan Ran 1 o'r Mesur yn gymwys i'r holl awdurdodau lleol yng Nghymru.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd

WELSH STATUTORY INSTRUMENTS

2014 No. 3267 (W. 334)

EDUCATION, WALES

The Education (Wales) Measure 2009 (Pilot) (Revocation) Regulations 2014

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Education (Wales) Measure 2009 (Pilot) Regulations 2012 ("the 2012 Regulations") make provision to pilot the provisions of the Education Act 1996 (on special educational needs appeals) and the Equality Act 2010 (on disability discrimination claims) as amended by Part 1 of the Education (Wales) Measure 2009 ("the Measure"). The effect of the 2012 Regulations, combined with the provisions in the Education (Wales) Measure 2009 (Commencement No. 3 and Transitional Provisions) Order 2012 ("the Commencement Order") is that the amendments made by Part 1 of the Measure to the Education Act 1996 and the Equality Act 2010 apply only for the purposes of piloting in the local authority areas of Carmarthenshire and Wrexham.

The 2012 Regulations applied from 6 March 2012 and provided that they would cease to have effect at the end of 30 June 2015. Regulation 2 of these Regulations revokes the 2012 Regulations in their entirety from the earlier date of 5 January 2015. Regulation 2 also provides that article 4 of the Commencement Order is revoked. This provided for the continued application, to local authorities in Wales not within the pilot, of sections 332A and 332B of the Education Act 1996 as if the amendments to those sections by the Measure were not in force.

The effect of the revocations made by these Regulations is to end the pilot with the result that the amendments to the Education Act 1996 and Equality Act 2010 made by Part 1 of the Measure apply to all local authorities in Wales.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result,

asesiad effaith rheoleiddiol o’r costau a’r manteision sy’n debygol o ddeillio o gydymffurfio â’r Rheoliadau hyn. Gellir cael copi oddi wrth Yr Is-adran Cymorth i Ddysgwyr, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Support for Learners Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2014 Rhif 3267 (Cy. 334)

ADDYSG, CYMRU

Rheoliadau Mesur Addysg (Cymru) 2009 (Treialu) (Dirymu) 2014

Gwnaed	*11 Rhagfyr 2014*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*15 Rhagfyr 2014*
Yn dod i rym	*5 Ionawr 2015*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddwyd iddynt gan adrannau 17(1) a (2) a 24(2) o Fesur Addysg (Cymru) 2009(**1**):

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Mesur Addysg (Cymru) 2009 (Treialu) (Dirymu) 2014 a deuant i rym ar 5 Ionawr 2015.

Dirymu

2.—(1) Mae Rheoliadau Mesur Addysg (Cymru) 2009 (Treialu) 2012(**2**) wedi eu dirymu.

(2) Mae erthygl 4 o Orchymyn Mesur Addysg (Cymru) 2009 (Cychwyn Rhif 3 a Darpariaethau Trosiannol) 2012(**3**) wedi ei dirymu.

(**1**) 2009 mccc 5. Diwygiwyd adran 17 gan erthygl 11 o Orchymyn Hawl Plentyn i Wneud Hawliad Gwahaniaethu ar sail Anabledd (Ysgolion) (Cymru) 2011 (O.S. 2011/1651 (Cy. 187)).

(**2**) O.S. 2012/321 (Cy. 52).

(**3**) O.S. 2012/320 (Cy. 51) (C. 10).

WELSH STATUTORY INSTRUMENTS

2014 No. 3267 (W. 334)

EDUCATION, WALES

The Education (Wales) Measure 2009 (Pilot) (Revocation) Regulations 2014

Made	*11 December 2014*
Laid before the National Assembly for Wales	*15 December 2014*
Coming into force	*5 January 2015*

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by sections 17(1) and (2) and 24(2) of the Education (Wales) Measure 2009(**1**):

Title and commencement

1. The title of these Regulations is the Education (Wales) Measure 2009 (Pilot) (Revocation) Regulations 2014 and they come into force on 5 January 2015.

Revocation

2.—(1) The Education (Wales) Measure 2009 (Pilot) Regulations 2012(**2**) are revoked.

(2) Article 4 of the Education (Wales) Measure 2009 (Commencement No. 3 and Transitional Provisions) Order 2012(**3**) is revoked.

(**1**) 2009 nawm 5. Section 17 has been amended by the Right of a Child to Make a Disability Discrimination Claim (Schools) (Wales) Order 2011 (S.I. 2011/1651 (W. 187)), article 11.

(**2**) S.I. 2012/321 (W. 52).

(**3**) S.I. 2012/320 (W. 51) (C. 10).

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru
11 Rhagfyr 2014

Minister for Education and Skills, one of the Welsh Ministers
11 December 2014

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