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WELSH STATUTORY
INSTRUMENTS

2016 Rhif 236 (Cy. 88)

2016 No. 236 (W. 88)

ADDYSG, CYMRU A LLOEGR

**EDUCATION, ENGLAND AND
WALES**

**Rheoliadau Deddf Cymwysterau
Cymru 2015 (Diwygiadau
Canlyniadol) 2016**

**The Qualifications Wales Act 2015
(Consequential Amendments)
Regulations 2016**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o ganlyniad i Ddeddf Cymwysterau Cymru 2015 ("Deddf 2015"). Mae Rhan 2 o Ddeddf 2015 yn sefydlu Cymwysterau Cymru ac yn nodi ei brif nodau.

Mae'r Rheoliadau hyn yn diweddar cyfeiriadau mewn deddfwriaeth er mwyn adlewyrchu'r system gwydd ar gyfer rheoleiddio cymwysterau y darperir ar chyfer yn Neddf 2015.

Mae'r Rheoliadau hyn yn diwygio deddfwriaeth sylfaenol ac is-ddeddfwriaeth, o ganlyniad i ddarpariaethau Deddf 2015, neu at ddibenion darpariaethau'r Ddeddf honno, sef Rhan 2 (sefydlu a phrif nodau Cymwysterau Cymru), Rhan 3 (cydnabod cyrff dyfarnu), Rhan 6 (darpariaeth bellach sy'n berthnasol i gydnabod, cymeradwyo a dynodi) ac adran 56 (dehongli cyfeiriadau at "cymhwyster") o Ddeddf 2015 ac Atodlen 3 (darpariaeth bellach ynghylch cydnabod cyrff dyfarnu) ac Atodlen 4 (diwygiadau canlyniadol) iddi.

Mae gan Gymwysterau Cymru (sydd wedi ei sefydlu gan adran 2 o'r Ddeddf) swyddogaethau cydnabod cyrff sy'n dyfarnu cymwysterau yng Nghymru (Rhan 3) a rheoleiddio cyrff o'r fath drwy amodau cydnabod (adran 36 ac Atodlen 3). Mae adran 34 yn ymdrin â chymwysterau y caniateir iddynt gael eu defnyddio ar gyrsiau penodol sy'n cael eu cyllido'n gyhoeddus, sydd, yn gyffredinol, yn eu cyfyngu i ffurfiau ar gymhwyster sydd naill ai wedi eu cymeradwyo gan Gymwysterau Cymru (o dan Ran 4) neu wedi eu dynodi ganddo (o dan Ran 5). Mae Atodlen 4 yn diwygio Rhan 5 o Ddeddf Addysg 1997 a Rhan 5 o Ddeddf Dysgu a Sgiliau 2000.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in consequence of the Qualifications Wales Act 2015 ("the 2015 Act"). Part 2 of the 2015 Act establishes Qualifications Wales and sets out its principal aims.

These Regulations update references in legislation so as to reflect the new system of qualification regulation provided for in the 2015 Act.

These Regulations make amendments to primary and secondary legislation, which are in consequence of, or for the purposes of, provisions of the 2015 Act, namely Part 2 (establishment and principal aims of Qualifications Wales), Part 3 (recognition of awarding bodies), Part 6 (further provision relevant to recognition, approval and designation), section 56 (interpretation of references to "qualification") of, and Schedule 3 (further provision about recognition of awarding bodies) and Schedule 4 (consequential amendments) to, the 2015 Act.

Qualifications Wales (which is established by section 2 of the Act) has functions of recognising bodies awarding qualifications in Wales (Part 3) and regulating such bodies through conditions of recognition (section 36 and Schedule 3). Section 34 addresses the qualifications which may be used on certain publicly funded courses, which generally limits them to forms of qualification which are either approved by Qualifications Wales (under Part 4) or designated by it (under Part 5). Schedule 4 amends Part 5 of the Education Act 1997 and Part 5 of the Learning and Skills Act 2000.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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Gwnaed 24 Chwefror 2016
Yn dod i rym 1 Mai 2016

Made 24 February 2016
Coming into force 1 May 2016

Mae Gweinidogion Cymru, drwy arfer y pwerau yn adrannau 55(1)(c) a 59 o Ddeddf Cymwysterau Cymru 2015(1), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers in exercise of the powers in sections 55(1)(c) and 59 of the Qualifications Wales Act 2015(1) make the following Regulations.

Mae Gweinidogion Cymru yn ystyried ei bod yn hwylus at ddibenion darpariaethau'r Ddeddf honno, neu o ganlyniad i ddarpariaethau'r Ddeddf honno, wneud y Rheoliadau a ganlyn.

The Welsh Ministers consider it expedient for the purposes of, or in consequence of, provisions of that Act to make the following Regulations.

Yn unol ag adran 55(2) o Ddeddf Cymwysterau Cymru 2015, gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad.

In accordance with section 55(2) of the Qualifications Wales Act 2015, a draft of these Regulations was laid before the National Assembly for Wales and approved by a resolution of the National Assembly for Wales.

RHAN 1
Cyflwyniad

PART 1
Introduction

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Deddf Cymwysterau Cymru 2015 (Diwygiadau Canlyniadol) 2016 a deuant i rym ar 1 Mai 2016.

Title and commencement

1. The title of these Regulations is the Qualifications Wales Act 2015 (Consequential Amendments) Regulations 2016 and they come into force on 1 May 2016.

RHAN 2

Diwygio deddfwriaeth sylfaenol

Diwygio Deddf Dysgu a Sgiliau 2000

2. Yn adran 33N(1) o Ddeddf Dysgu a Sgiliau 2000(1) yn lle'r diffiniad o "course of study" rhodder—

““course of study” means a course of education or training that—

- (a) leads to a form of qualification or set of forms of qualification approved under Part 4 of the Qualifications Wales Act 2015 or designated under Part 5 of that Act, or
- (b) is designated by the Welsh Ministers under section 34(8) of that Act;”.

Diwygio Deddf Addysg 2002

3. Yn adran 97 o Ddeddf Addysg 2002(2) yn lle'r diffiniad o "course of study" rhodder—

““course of study” means a course of education or training that—

- (a) leads to a form of qualification or set of forms of qualification approved under Part 4 of the Qualifications Wales Act 2015 or designated under Part 5 of that Act, or
- (b) is designated by the Welsh Ministers under section 34(8) of that Act;”.

RHAN 3

Diwygio is-ddeddfwriaeth

Diwygio Gorchymyn y Dreth Gyngor (Diystyru Disgownt) 1992

4. Ym mharagraff 1(1)(b) o Ran 1 o Atodlen 1 i Orchymyn y Dreth Gyngor (Diystyru Disgownt) 1992(3), fel y mae'n gymwys o ran Cymru, yn lle is-baragraff (iii) rhodder—

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- (1) 2000 p. 21. Mewnosodwyd adran 33N gan adran 35 o Fesur Dysgu a Sgiliau (Cymru) 2009 (mccc 1). Mae diwygiadau eraill i adran 33N nad ydynt yn berthnasol i'r offeryn hwn.
 - (2) 2002 p. 32. Mewnosodwyd y diffiniad o "course of study" yn adran 97 gan adran 1(1) a (2) o Fesur Dysgu a Sgiliau (Cymru) 2009.
 - (3) O.S. 1992/548. Mae paragraff 1(1)(b) wedi ei ddiwygio o ran Cymru gan O.S. 2010/2448, erthygl 2.

PART 2

Amendments to primary legislation

Amendment to the Learning and Skills Act 2000

2. In section 33N(1) of the Learning and Skills Act 2000(1) for the definition of "course of study" substitute—

““course of study” means a course of education or training that—

- (a) leads to a form of qualification or set of forms of qualification approved under Part 4 of the Qualifications Wales Act 2015 or designated under Part 5 of that Act, or
- (b) is designated by the Welsh Ministers under section 34(8) of that Act;”.

Amendment to the Education Act 2002

3. In section 97 of the Education Act 2002(2) for the definition of "course of study" substitute—

““course of study” means a course of education or training that—

- (a) leads to a form of qualification or set of forms of qualification approved under Part 4 of the Qualifications Wales Act 2015 or designated under Part 5 of that Act, or
- (b) is designated by the Welsh Ministers under section 34(8) of that Act;”.

PART 3

Amendments to secondary legislation

Amendment to the Council Tax (Discount Disregards) Order 1992

4. In paragraph 1(1)(b) of Part 1 of Schedule 1 to the Council Tax (Discount Disregards) Order 1992(3), as it applies in relation to Wales, for subparagraph (iii) substitute—

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- (1) 2000 c. 21. Section 33N was inserted by section 35 of the Learning and Skills (Wales) Measure 2009 (nawm 1). There are other amendments to section 33N which are not relevant to this instrument.
 - (2) 2002 c. 32. The definition of "course of study" was inserted into section 97 by section 1(1) and (2) of the Learning and Skills (Wales) Measure 2009.
 - (3) S.I. 1992/548. Paragraph 1(1)(b) has been amended in relation to Wales by S.I. 2010/2448, article 2.

“(iii) a qualification which is awarded by a body in respect of the award of which it is recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;”.

Diwygio Rheoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994

5. Yn rheoliad 2(1) o Reoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994(1), fel y mae'n gymwys o ran Cymru, yn lle'r diffiniad o “approved relevant qualification” rhodder—

““approved relevant qualification” is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;”.

Diwygio Rheoliadau Addysg (Ysgolion Arbennig) 1994

6. Yn rheoliad 2(1) o Reoliadau Addysg (Ysgolion Arbennig) 1994(2) yn lle'r diffiniad o “approved relevant qualification” rhodder—

““approved relevant qualification” is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;”.

Diwygio Rheoliadau Cerbydau Modur (Trwyddedau Gyrru) 1999

7. Yn rheoliad 22 o Reoliadau Cerbydau Modur (Trwyddedau Gyrru) 1999(3), o fewn y diffiniad o “educational qualification” yn lle paragraff (f) rhodder—

“(f) a qualification which has been awarded by a body in respect of the award of which it is recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;”.

“(iii) a qualification which is awarded by a body in respect of the award of which it is recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;”.

Amendment to the Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994

5. In regulation 2(1) of the Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994(1), as it applies in relation to Wales, for the definition of “approved relevant qualification” substitute—

““approved relevant qualification” is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;”.

Amendment to the Education (Special Schools) Regulations 1994

6. In regulation 2(1) of the Education (Special Schools) Regulations 1994(2) for the definition of “approved relevant qualification” substitute—

““approved relevant qualification” is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;”.

Amendment to the Motor Vehicles (Driving Licences) Regulations 1999

7. In regulation 22 of the Motor Vehicles (Driving Licences) Regulations 1999(3), within the definition of “educational qualification” for paragraph (f) substitute—

“(f) a qualification which has been awarded by a body in respect of the award of which it is recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;”.

(1) O.S. 1994/651. Mewnosodwyd y diffiniad o “approved relevant qualification” yn rheoliad 2 o ran Cymru gan O.S. 2010/2431, rheoliad 2(a). Mae diwygiadau eraill i reoliad 2 nad ydynt yn berthnasol i'r offeryn hwn.

(2) O.S. 1994/652. Mewnosodwyd y diffiniad o “approved relevant qualification” yn rheoliad 2 o ran Cymru gan O.S. 2010/2431, rheoliad 3(a). Mae diwygiadau eraill i reoliad 2 nad ydynt yn berthnasol i'r offeryn hwn.

(3) O.S. 1999/2864. Mewnosodwyd y diffiniad o “educational qualification” yn rheoliad 22 gan O.S. 2010/1203, rheoliadau 2 a 6(b). Mae diwygiadau eraill i reoliad 22 nad ydynt yn berthnasol i'r offeryn hwn.

(1) S.I. 1994/651. The definition of “approved relevant qualification” was inserted into regulation 2 in relation to Wales by S.I. 2010/2431, regulation 2(a). There are other amendments to regulation 2 which are not relevant to this instrument.

(2) S.I. 1994/652. The definition of “approved relevant qualification” was inserted into regulation 2 in relation to Wales by S.I. 2010/2431, regulation 3(a). There are other amendments to regulation 2 which are not relevant to this instrument.

(3) S.I. 1999/2864. The definition of “educational qualification” was inserted into regulation 22 by S.I. 2010/1203, regulations 2 and 6(b). There are other amendments to regulation 22 which are not relevant to this instrument.

Diwygio Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Cymru) 2007

8. Mae Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Cymru) 2007(1) wedi eu diwygio fel a ganlyn—

- (a) yn rheoliad 3, dileer y diffiniad o “cymhwyster perthnasol”;
- (b) yn rheoliad 5(2) yn lle is-baragraff (dd) rhodder—
 - “(da) Cymwysterau Cymru;
 - (dd) unrhyw gorff a gydnabyddir gan Gymwysterau Cymru o dan Ran 3 o Ddeddf Cymwysterau Cymru 2015 fel corff sy’n dyfarnu cymwysterau yng Nghymru;”;
- (c) yn rheoliad 5(5) yn is-baragraff (d) dileer “ac”; a
- (d) yn rheoliad 5(5) ar y diwedd mewnosoder —
 - “; ac
 - (e) unrhyw gwrs astudio sy’n arwain at gymhwyster (ac eithrio un o’r math y cyfeirir ato yn is-baragraff (b) neu (d) uchod) a ddarperir i ddisgyblion o oedran ysgol gorfodol mewn unrhyw ysgol a gynhelir gan awdurdod lleol os yw—
 - (i) y ffurf ar gymhwyster y mae’r cwrs yn arwain ati wedi ei chymeradwyo o dan Ran 4 o Ddeddf Cymwysterau Cymru 2015 neu wedi ei dynodi o dan Ran 5 o’r Ddeddf honno, neu
 - (ii) y cwrs wedi ei ddynodi gan Weinidogion Cymru o dan adran 34(8) o Ddeddf Cymwysterau Cymru 2015.”

Diwygio Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Personau Rhagnodedig) (Lloegr) 2009

9. Ar ddiwedd rheoliad 3(5) o Reoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Personau Rhagnodedig) (Lloegr) 2009(2) ychwaneger—

“(x) Qualifications Wales.”

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- (1) O.S. 2007/3562 (Cy. 312). Mewnosodwyd y diffiniad o “cymhwyster perthnasol” yn rheoliad 3 ac is-baragraffau (d) - (f) o reoliad 5(2) gan O.S. 2011/2325, rheoliad 2(1), (2)(c) a (3)(a). Mae diwygiadau eraill nad ydynt yn berthnasol i’r offeryn hwn.
- (2) O.S. 2009/1563. Mae diwygiadau i reoliad 3 nad ydynt yn berthnasol i’r offeryn hwn.

Amendment to the Education (Information About Individual Pupils) (Wales) Regulations 2007

8. The Education (Information About Individual Pupils) (Wales) Regulations 2007(1) are amended as follows—

- (a) in regulation 3, delete the definition of “relevant qualification”;
- (b) in regulation 5(2) for subparagraph (f) substitute—
 - “(ea) Qualifications Wales;
 - (f) any body recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015 as a body awarding qualifications in Wales;”;
- (c) in regulation 5(5) in subparagraph (e) delete “and”; and
- (d) in regulation 5(5) at the end insert —
 - “; and
 - (g) any course of study leading to a qualification (other than one of the kind referred to in sub-paragraph (b) or (e) above) provided to pupils of compulsory school age in any school maintained by a local authority if —
 - (i) the form of qualification to which the course leads is approved under Part 4 of the Qualifications Wales Act 2015 or designated under Part 5 of that Act, or
 - (ii) the course is designated by the Welsh Ministers under section 34(8) of the Qualifications Wales Act 2015.”

Amendment to the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009

9. At the end of regulation 3(5) of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009(2) add—

“(x) Qualifications Wales.”

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- (1) S.I. 2007/3562 (W. 312). The definition of “relevant qualification” in regulation 3 and sub-paragraphs (e) - (h) of regulation 5(2) were inserted by S.I. 2011/2325, regulation 2(1), (2)(c) and (3)(a). There are other amendments which are not relevant to this instrument.
- (2) S.I. 2009/1563. There are amendments to regulation 3 which are not relevant to this instrument.

Diwygio Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfnod Allweddol 4) (Cymru) 2009

10. Mae rheoliad 2 o Reoliadau Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfnod Allweddol 4) (Cymru) 2009(1) wedi ei ddiwygio fel a ganlyn—

- (a) yn y diffiniad o “NQF” hepgorer y geiriau o “sy’n cynnwys cymwysterau perthnasol” hyd at y diwedd;
- (b) yn y diffiniad o “QCF” hepgorer y geiriau o “sef cymwysterau perthnasol” hyd at y diwedd; ac
- (c) yn y diffiniadau o “lefel NQF” a “lefel QCF” hepgorer “perthnasol”.

Diwygio Rheoliadau Addysg (Gwybodaeth am Blant sy’n cael eu Haddysg drwy Ddarpariaeth Amgen) (Cymru) 2009

11. Yn rheoliad 2 o Reoliadau Addysg (Gwybodaeth am Blant sy’n cael eu Haddysg drwy Ddarpariaeth Amgen) (Cymru) 2009(2) yn lle’r diffiniad o “cymhwyster perthnasol a gymeradwywyd” rhodder—

“mae “cymhwyster perthnasol a gymeradwywyd” (*“approved relevant qualification”*) yn gymhwyster o fewn ystyr adran 56 o Ddeddf Cymwysterau Cymru 2015;”.

Diwygio Rheoliadau Adroddiad Pennaeth i Rieni a Disgyblion sy’n Oedolion (Cymru) 2011

12. Yn rheoliad 2(1) o Reoliadau Adroddiad Pennaeth i Rieni a Disgyblion sy’n Oedolion (Cymru) 2011(3)—

- (a) yn y diffiniad o “cymhwyster perthnasol a gymeradwywyd” yn lle “adran 30(5) o Ddeddf Addysg 1997” rhodder “adran 56 o Ddeddf Cymwysterau Cymru 2015”; a
- (b) yn y diffiniad o “FfCC” hepgorer y geiriau o “a ffurfir gan gymwysterau” hyd at y diwedd.

Amendment to the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009

10. Regulation 2 of the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009(1) is amended as follows—

- (a) in the definition of “NQF” omit the words from “comprising relevant qualifications” to the end;
- (b) in the definition of “QCF” omit the words from “comprising relevant qualifications” to the end; and
- (c) in the definitions of “NQF level” and “QCF level” omit “relevant”.

Amendment to the Education (Information About Children in Alternative Provision) (Wales) Regulations 2009

11. In regulation 2 of the Education (Information About Children in Alternative Provision) (Wales) Regulations 2009(2) for the definition of “approved relevant qualification” substitute—

““approved relevant qualification” (*“cymhwyster perthnasol a gymeradwywyd”*) is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;”.

Amendment to the Head Teacher’s Report to Parents and Adult Pupils (Wales) Regulations 2011

12. In regulation 2(1) of the Head Teacher’s Report to Parents and Adult Pupils (Wales) Regulations 2011(3)—

- (a) in the definition of “approved relevant qualification” for “section 30(5) of the Education Act 1997” substitute “section 56 of the Qualifications Wales Act 2015”; and
- (b) in the definition of “NQF” omit the words from “comprising relevant qualifications” to the end.

(1) O.S. 2009/3256 (Cy. 284). Diwygiwyd y diffiniadau o “NQF” a “lefel NQF” a mewnosodwyd y diffiniadau o “QCF” a “lefel QCF” gan O.S. 2010/2431, rheoliad 8(a).
(2) O.S. 2009/3355 (Cy. 294). Mewnosodwyd y diffiniad o “cymhwyster perthnasol a gymeradwywyd” yn rheoliad 2 gan O.S. 2010/2431, rheoliad 9(a). Mae diwygiad arall i reoliad 2 nad yw’n berthnasol i’r offeryn hwn.
(3) O.S. 2011/1943 (Cy. 210). Mae diwygiad nad yw’n berthnasol i’r offeryn hwn.

(1) S.I. 2009/3256 (W. 284). The definitions of “NQF” and “NQF level” were amended, and those of “QCF” and “QCF level” were inserted, by S.I. 2010/2431, regulation 8(a).
(2) S.I. 2009/3355 (W. 294). The definition of “approved relevant qualification” was inserted into regulation 2 by S.I. 2010/2431, regulation 9(a). There is another amendment to regulation 2 which is not relevant to this instrument.
(3) S.I. 2011/1943 (W. 210). There is an amendment which is not relevant to this instrument.

Diwygio Rheoliadau Perfformiad Ysgol a Thargedau Absenoldeb (Cymru) 2011

13. Mae rheoliad 2(1) o Reoliadau Perfformiad Ysgol a Thargedau Absenoldeb (Cymru) 2011(1) wedi ei ddiwygio fel a ganlyn—

- (a) yn y diffiniad o “cymhwyster perthnasol a gymeradwywyd” yn lle “adran 30(5) o Ddeddf Addysg 1997” rhodder “adran 56 o Ddeddf Cymwysterau Cymru 2015”;
- (b) yn y diffiniad o “FfCC” hepgorer y geiriau o “a ffurfir gan gymwysterau” hyd at y diwedd; ac
- (c) yn y diffiniad o “lefel FfCC” hepgorer “perthnasol”.

Diwygio Rheoliadau Gwybodaeth am Berfformiad Ysgolion (Cymru) 2011

14.—(1) Mae Rheoliadau Gwybodaeth am Berfformiad Ysgolion (Cymru) 2011(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1) yn y lle priodol mewnosoder—

““rhif cymeradwyo” (“*approval number*”) yw’r rhif a ddyrennir i gymhwyster gan Gymwysterau Cymru o dan adran 22(3) o Ddeddf Cymwysterau Cymru 2015;”.

(3) Yn rheoliad 2(1), yn lle’r diffiniad o “cymhwyster perthnasol a gymeradwywyd” rhodder—

mae “cymhwyster perthnasol a gymeradwywyd” (“*approved relevant qualification*”) yn gymhwyster o fewn ystyr adran 56 o Ddeddf Cymwysterau Cymru 2015;”.

(4) Ym mharagraff 3 yn Rhan 1 o Atodlen 3, yn lle is-baragraffau (d) ac (dd) rhodder—

- “(d) y dyddiad dyfarnu;
- (dd) y rhif cymhwyster (os oes rhif); ac
- (e) y rhif cymeradwyo (os oes rhif).”

(5) Yn lle paragraff 6 yn Rhan 2 o Atodlen 3, yn lle is-baragraffau (d) ac (dd) rhodder—

- “(d) y dyddiad dyfarnu;
- (dd) y rhif cymhwyster (os oes rhif); ac
- (e) y rhif cymeradwyo (os oes rhif).”

Amendment to the School Performance and Absence Targets (Wales) Regulations 2011

13. Regulation 2(1) of the School Performance and Absence Targets (Wales) Regulations 2011(1) is amended as follows—

- (a) in the definition of “approved relevant qualification” for “section 30(5) of the Education Act 1997” substitute “section 56 of the Qualifications Wales Act 2015”;
- (b) in the definition of “NQF” omit the words from “comprising relevant qualifications” to the end; and
- (c) in the definition of “NQF level” omit “relevant”.

Amendment to the School Performance Information (Wales) Regulations 2011

14.—(1) The School Performance Information (Wales) Regulations 2011(2) are amended as follows.

(2) In regulation 2(1) at the appropriate place insert—

““approval number” (“*rhif cymeradwyo*”) is the number allocated to a qualification by Qualifications Wales under section 22(3) of the Qualifications Wales Act 2015;”.

(3) In regulation 2(1), for the definition of “approved relevant qualification” substitute—

““approved relevant qualification” (“*cymhwyster perthnasol a gymeradwywyd*”) is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;”.

(4) In paragraph 3 in Part 1 of Schedule 3, for subparagraphs (e) and (f) substitute—

- “(e) the date awarded;
- (f) the qualification number (if any); and
- (g) the approval number (if any).”

(5) In paragraph 6 in Part 2 of Schedule 3, for subparagraphs (e) and (f) substitute—

- “(e) the date awarded;
- (f) the qualification number (if any); and
- (g) the approval number (if any).”

(1) O.S. 2011/1945 (Cy. 212).

(2) O.S. 2011/1963 (Cy. 217). Mae diwygiad nad yw’n berthnasol i’r offeryn hwn.

(1) S.I. 2011/1945 (W. 212).

(2) S.I. 2011/1963 (W. 217). There is an amendment which is not relevant to this instrument.

Diwygio Rheoliadau Gweithredu'r Cwricwlwm Lleol (Cymru) 2013

15. Yn rheoliad 2 o Reoliadau Gweithredu'r Cwricwlwm Lleol (Cymru) 2013(1) yn lle'r diffiniad o "cwrw astudio" rhodder—

"ystyr "cwrw astudio" yw cwrw astudio addysg neu hyfforddiant—

- (a) sy'n arwain at ffurf ar gymhwyster neu set o ffurfiau ar gymhwyster a gymeradwywyd o dan Ran 4 o Ddeddf Cymwysterau Cymru 2015 neu a ddynodwyd o dan Ran 5 o'r Ddeddf honno, neu
- (b) sydd wedi ei ddynodi gan Weinidogion Cymru o dan adran 34(8) o'r Ddeddf honno;".

Diwygio Rheoliadau Trwyddedu Meistri Gangiau (Eithriadau) 2013

16. Ym mharagraff 13 o Ran 2 o'r Atodlen i Reoliadau Trwyddedu Meistri Gangiau (Eithriadau) 2013(2) yn lle is-baragraff (b) rhodder—

"(b) in relation to Wales, is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;".

Diwygio Rheoliadau Cynlluniau Strategol Cymraeg mewn Addysg ac Asesu'r Galw am Addysg Cyfrwng Cymraeg (Cymru) 2013

17. Yn rheoliad 2 o Reoliadau Cynlluniau Strategol Cymraeg mewn Addysg ac Asesu'r Galw am Addysg Cyfrwng Cymraeg (Cymru) 2013(3) yn y diffiniad o "cymhwyster perthnasol" yn lle "relevant qualification" yn adran 30(5) o Ddeddf Addysg 1997" rhodder "cymhwyster" yn adran 56 o Ddeddf Cymwysterau Cymru 2015".

Diwygio Rheoliadau Addysg (Cynlluniau Datblygu Ysgolion) (Cymru) 2014

18. Yn rheoliad 2(1) o Reoliadau Addysg (Cynlluniau Datblygu Ysgolion) (Cymru) 2014(4) yn y diffiniad o "cymwysterau perthnasol a gymeradwywyd" yn lle "adran 30(5) o Ddeddf Addysg 1997" rhodder "adran 56 o Ddeddf Cymwysterau Cymru 2015".

Amendment to the Operation of the Local Curriculum (Wales) Regulations 2013

15. In regulation 2 of the Operation of the Local Curriculum (Wales) Regulations 2013(1) for the definition of "course of study" substitute—

"course of study" means a course of education or training that—

- (a) leads to a form of qualification or set of forms of qualification approved under Part 4 of the Qualification Wales Act 2015 or designated under Part 5 of that Act, or
- (b) is designated by the Welsh Ministers under section 34(8) of that Act;".

Amendment to the Gangmasters Licensing (Exclusions) Regulations 2013

16. In paragraph 13 of Part 2 of the Schedule to the Gangmasters Licensing (Exclusions) Regulations 2013(2) for subparagraph (b) substitute—

"(b) in relation to Wales, is a qualification within the meaning of section 56 of the Qualifications Wales Act 2015;".

Amendment to the Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013

17. In regulation 2 of the Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013(3) in the definition of "relevant qualification" for "it in section 30(5) of the Education Act 1997" substitute "qualification" in section 56 of the Qualifications Wales Act 2015".

Amendment to the Education (School Development Plans) (Wales) Regulations 2014

18. In regulation 2(1) of the Education (School Development Plans) (Wales) Regulations 2014(4) in the definition of "approved relevant qualifications" for "section 30(5) of the Education Act 1997" substitute "section 56 of the Qualifications Wales Act 2015".

(1) O.S. 2013/1793 (Cy. 180).

(2) O.S. 2013/2216.

(3) O.S. 2013/3048 (Cy. 307).

(4) O.S. 2014/2677 (Cy. 265).

(1) S.I. 2013/1793 (W. 180).

(2) S.I. 2013/2216.

(3) S.I. 2013/3048 (W. 307).

(4) S.I. 2014/2677 (W. 265).

Diwygio Rheoliadau'r Isafswm Cyflog Cenedlaethol 2015

19. Yn rheoliad 3 o Reoliadau'r Isafswm Cyflog Cenedlaethol 2015(1) yn y diffiniad o "further education course" ym mharagraff (b) yn lle is-baragraffau (ii), (iii) a (iv) rhodder—

- “(ii) is funded by a local authority, or
- (iii) leads to a qualification awarded by a body in respect of the award of which it is recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;”.

Diwygio Rheoliadau Addysg (Gwybodaeth am Fyfyrrwyr) (Lloegr) 2015

20. Yn Atodlen 2 i Reoliadau Addysg (Gwybodaeth am Fyfyrrwyr) (Lloegr) 2015(2)—

- (a) ym mharagraff 1(18) o Ran 1 dileer “and”; a
- (b) ar ddiwedd paragraff 1(19) ychwaneger—
“; and
(20) Qualifications Wales.”

Dirymu darpariaeth arbed mewn cysylltiad â chymwysterau sydd wedi eu hachredu at ddibenion Rheoliadau'r Isafswm Cyflog Cenedlaethol 2015

21. Mae erthygl 13 o Orchymyn Deddf Cymwysterau Cymru 2015 (Cychwyn Rhif 2 a Darpariaethau Trosiannol ac Arbed) 2015(3) wedi ei dirymu.

Amendment to the National Minimum Wage Regulations 2015

19. In regulation 3 of the National Minimum Wage Regulations 2015(1) in the definition of “further education course” in paragraph (b) for subparagraphs (ii), (iii) and (iv) substitute—

- “(ii) is funded by a local authority, or
- (iii) leads to a qualification awarded by a body in respect of the award of which it is recognised by Qualifications Wales under Part 3 of the Qualifications Wales Act 2015;”.

Amendment to the Education (Student Information) (England) Regulations 2015

20. In Schedule 2 to the Education (Student Information) (England) Regulations 2015(2)—

- (a) in paragraph 1(18) of Part 1 delete “and”; and
- (b) at the end of paragraph 1(19) add—
“; and
(20) Qualifications Wales.”

Revocation of saving provision in respect of accredited qualifications for the purposes of the National Minimum Wage Regulations 2015

21. Article 13 of the Qualifications Wales Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015(3) is revoked.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru
24 Chwefror 2016

Minister for Education and Skills, one of the Welsh Ministers
24 February 2016

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(1) O.S. 2015/621. Mae diwygiadau i reoliad 3 nad ydynt yn berthnasol i'r offeryn hwn.
(2) O.S. 2015/1567.
(3) O.S. 2015/1687 (Cy. 219) (C. 98).

(1) S.I. 2015/621. There are amendments to regulation 3 which are not relevant to this instrument.
(2) S.I. 2015/1567.
(3) S.I. 2015/1687 (W. 219) (C. 98).

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