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WELSH STATUTORY  
INSTRUMENTS

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**2016 Rhif 837 (Cy. 211)**

**2016 No. 837 (W. 211)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

Rheoliadau'r Cwricwlwm  
Cenedlaethol (Diwygiadau  
Amrywiol) (Cymru) 2016

The National Curriculum  
(Miscellaneous Amendments)  
(Wales) Regulations 2016

**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—

These Regulations amend the—

- (a) Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Cymru) 2007 (“y Rheoliadau Gwybodaeth am Ddisgyblion Unigol”);
- (b) Rheoliadau Gwybodaeth am Ddisgyblion (Cymru) 2011 (“y Rheoliadau Gwybodaeth am Ddisgyblion”);
- (c) Rheoliadau Adroddiad Pennaeth i Rieni a Disgyblion sy'n Oedolion (Cymru) 2011 (“y Rheoliadau Adroddiad Pennaeth”); a
- (d) Rheoliadau Gwybodaeth am Berfformiad Ysgolion (Cymru) 2011 (“y Rheoliadau Gwybodaeth am Berfformiad Ysgolion”).

- (a) Education (Information About Individual Pupils) (Wales) Regulations 2007 (“the Individual Pupil Information Regulations”);
- (b) Pupil Information (Wales) Regulations 2011 (“the Pupil Information Regulations”);
- (c) Head Teacher’s Report to Parents and Adult Pupils (Wales) Regulations 2011 (“the Head Teacher Reporting Regulations”); and
- (d) School Performance Information (Wales) Regulations 2011 (“the School Performance Information Regulations”).

Mae'r Rheoliadau Gwybodaeth am Ddisgyblion Unigol yn ei gwneud yn ofynnol i gorff llywodraethu ysgol a gynhelir, pan fydd cais ysgrifenedig yn dod i law oddi wrth yr awdurdod lleol sy'n cynnal yr ysgol, gyflenwi'r wybodaeth y gofynnir amdani ac a nodir yn yr Atodlen i'r Rheoliadau hynny. Mae'r cyfnod sylfaen bellach wedi disodli'r cyfnod allweddol cyntaf yng Nghymru ac felly nid yw'r cyfeiriadau at y cyfnod allweddol cyntaf yn y Rheoliadau Gwybodaeth am Ddisgyblion Unigol yn berthnasol mwyach. Yn unol â hynny, mae'r Rheoliadau hyn yn rhoi diffiniad newydd yn lle'r diffiniad o “cyfnod allweddol” yn y Rheoliadau Gwybodaeth am Ddisgyblion Unigol, sy'n hepgor cyfeiriad at y cyfnod allweddol cyntaf, ac maent hefyd yn mewnosod diffiniad newydd sef “cyfnod sylfaen” (rheoliad 2(a)). Mae'r Rheoliadau hyn hefyd yn hepgor y cyfeiriad at y cyfnod allweddol cyntaf yn rheoliad 5(5)(a) o'r Rheoliadau Gwybodaeth am Ddisgyblion Unigol (rheoliad 2(b)).

The Individual Pupil Information Regulations require the governing body of a maintained school upon written request from the local authority that maintains the school to supply the information requested and which is set out in the Schedule to those Regulations. The first key stage has now been replaced by the foundation phase in Wales and so references to the first key stage in the Individual Pupil Information Regulations are no longer relevant. Accordingly, these Regulations substitute the definition of “key stage” in the Individual Pupil Information Regulations with a new definition which omits reference to the first key stage and, also insert a new definition of “foundation phase” (regulation 2(a)). These Regulations also omit the reference to the first key stage in regulation 5(5)(a) of the Individual Pupil Information Regulations (regulation 2(b)).

Mae rheoliad 2 yn diwygio'r Rheoliadau Gwybodaeth am Ddisgyblion Unigol ymhellach er mwyn dileu'r gofyniad i hysbysu'r awdurdod lleol sy'n cynnal yr ysgol am y prif angen addysgol arbennig a'r anghenion addysgol arbennig eilaidd wedi eu rancio a nodwyd mewn perthynas â disgybl. Yn hytrach ni fydd rhaid i ysgol hysbysu'r awdurdod lleol ond am yr holl anghenion addysgol arbennig a nodwyd. Felly, ni fydd unrhyw ofyniad i rancio'r anghenion hynny fel prif angen neu anghenion eilaidd.

Mae rheoliad 3 yn diwygio rheoliad 3(1) o'r Rheoliadau Gwybodaeth am Ddisgyblion er mwyn cywiro camgymeriad mewn croesgyfeiriad. Mae rheoliad 3(1) o'r Rheoliadau Gwybodaeth am Ddisgyblion yn cyfeirio at Atodlen 2 i'r Rheoliadau hynny ond yn lle hynny dylai gyfeirio at yr Atodlen i'r Rheoliadau Adroddiad Pennaeth.

Mae'r Rheoliadau Adroddiad Pennaeth yn gwneud darpariaeth ynghylch yr adroddiad y mae'n ofynnol i bennaeth ysgol a gynhelir ei anfon at rieni a disgyblion sy'n oedolion bob blwyddyn a'r wybodaeth ychwanegol y caiff rhiant ofyn i'r pennaeth amdani. Mae'r Rheoliadau hyn yn diwygio'r diffiniad o "maes dysgu" yn y Rheoliadau Adroddiad Pennaeth er mwyn rhoi cyfeiriad at ddogfen o'r enw "Cwricwlwm Cymru: Fframwaith y Cyfnod Sylfaen" ("y ddogfen newydd") yn lle cyfeiriad at ddogfen o'r enw "Fframwaith ar gyfer Dysgu Plant 3 i 7 oed yng Nghymru" ("yr hen ddogfen"). Roedd yr hen ddogfen yn cynnwys y cwricwlwm blaenorol ar gyfer y cyfnod sylfaen ac mae'r ddogfen newydd yn nodi'r cwricwlwm newydd ar gyfer y cyfnod sylfaen. Rhoddwyd effaith gyfreithiol i'r ddogfen newydd gan Orchymyn Addysg (Cwricwlwm Cenedlaethol) (Targedau Cyrhaeddiad a Rhaglenni Astudio) (Cymru) (Diwygio) 2015 (rheoliad 4).

Mae'r Rheoliadau Gwybodaeth am Berfformiad Ysgolion yn gwneud darpariaeth ynghylch casglu gwybodaeth am berfformiad ysgolion. Mae'r Rheoliadau hyn yn diwygio'r Rheoliadau Gwybodaeth am Berfformiad Ysgolion er mwyn cynnwys, o fewn y diffiniad o "asesiadau statudol", y trefniadau asesu hynny a bennir yng Ngorchymyn y Cwricwlwm Cenedlaethol (Deilliannau Dymunol, Rhaglenni Addysg a Threfniadau Asesu Sylfaenol a Diwedd Cyfnod ar gyfer y Cyfnod Sylfaen) (Cymru) 2015 (rheoliad 5).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau 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.

Regulation 2 further amends the Individual Pupil Information Regulations so as to remove the requirement to notify the local authority that maintains the school, of the ranked primary and secondary special educational needs identified in relation to a pupil. Instead a school will only have to notify the local authority of all the special educational needs that have been identified. Therefore, there will be no requirement to rank those needs as primary or secondary.

Regulation 3 amends regulation 3(1) of the Pupil Information Regulations so as to correct a mistake in a cross reference. Regulation 3(1) of the Pupil Information Regulations refers to Schedule 2 to those Regulations but should instead refer to the Schedule to the Head Teacher Reporting Regulations.

The Head Teacher Reporting Regulations make provision as to the report the head teacher of a maintained school is required to send to parents and adult pupils each year and the additional information a parent may request from the head teacher. These Regulations amend the definition of "area of learning" in the Head Teacher Reporting Regulations so as to substitute a reference to a document entitled "Framework for Children's Learning for 3 to 7 year-olds in Wales" ("the old document") for a reference to a document entitled "Curriculum for Wales: Foundation Phase Framework" ("the new document"). The old document contained the former curriculum for the foundation phase and the new document sets out the new curriculum for the foundation phase. The new document was given legal effect by the Education (National Curriculum) (Attainment Targets and Programmes of Study) (Wales) (Amendment) Order 2015 (regulation 4).

The School Performance Information Regulations make provision about the collection of information about the performance of schools. These Regulations amend the School Performance Information Regulations so as to include within the definition of "statutory assessments" such assessment arrangements as are specified in the National Curriculum (Desirable Outcomes, Educational Programmes and Baseline and End of Phase Assessment Arrangements for the Foundation Phase) (Wales) Order 2015 (regulation 5).

The Welsh Minister's 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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Cenedlaethol (Diwygiadau  
Amrywiol) (Cymru) 2016

The National Curriculum  
(Miscellaneous Amendments)  
(Wales) Regulations 2016

*Gwnaed* 5 Awst 2016

*Made* 5 August 2016

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 10 Awst 2016

*Laid before the National Assembly for Wales*  
10 August 2016

*Yn dod i rym* 1 Medi 2016

*Coming into force* 1 September 2016

Mae Gweinidogion Cymru, drwy arfer y pwerau yn adrannau 29(1), 408(2), 537(3), 537A(1) a (2)(4), 563 a 569(4) a (5)(5) o Ddeddf Addysg 1996, ac yn adrannau 30(1) a (2) a 210 o Ddeddf Addysg 2002(6)

The Welsh Ministers, in exercise of the powers in sections 29(1), 408(2), 537(3), 537A(1) and (2)(4), 563 and 569(4) and (5)(5) of the Education Act 1996, and in sections 30(1) and (2) and 210 of the Education Act

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- (1) 1996 p. 56. Diddymwyd adran 29(2) gan Atodlen 30 a pharagraff 67 o Atodlen 31 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31). Diwygiwyd adran 29(3) hefyd gan Atodlen 30 a pharagraff 67 o Atodlen 31 i Ddeddf Safonau a Fframwaith Ysgolion 1998. Diwygiwyd pennawd adran 29 ac is-adrannau (1), (3) a (5) gan O.S. 2010/1158. Diddymwyd adran 29(6) gan baragraff 35 o Ran 3 o Atodlen 21 i Ddeddf Addysg 2002 (p. 32). Mewnosodwyd adran 29(6A) gan adran 9(1) a (2) o Ddeddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015 (dccc 3).
  - (2) Diwygiwyd adran 408 o Ddeddf Addysg 1996 gan baragraff 30 o Atodlen 7 ac Atodlen 8 i Ddeddf Addysg 1997 (p. 44), paragraffau 57 a 106 o Atodlen 30 ac Atodlen 31 i Ddeddf Safonau a Fframwaith Ysgolion 1998, paragraffau 1 a 57 o Atodlen 9 i Ddeddf Dysgu a Sgiliau 2000 (p. 21), Atodlen 21 i Ddeddf Addysg 2002, Atodlen 12 a Rhan 7 o Atodlen 16 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22), adran 9(1) a (3) o Ddeddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015, Atodlen 4 i Ddeddf Cymwysterau Cymru 2015 (dccc 5) a chan O.S. 2010/1158.
  - (3) Diwygiwyd adran 537 o Ddeddf Addysg 1996 gan baragraff 37 o Atodlen 7 i Ddeddf Addysg 1997, paragraffau 57 a 152 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998, paragraff 60 o Atodlen 9 i Ddeddf Dysgu a Sgiliau 2000, Rhan 2 o Atodlen 7 a Rhan 3 o Atodlen 22 i Ddeddf Addysg 2002, Atodlen 13 i Ddeddf Addysg 2011 (p. 21), a chan O.S. 2010/1158.
  - (4) Amnewidiwyd adran 537A o Ddeddf Addysg 1996 gan baragraff 153 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 ac fe'i diwygiwyd ymhellach gan O.S. 2010/1158. Mae diwygiadau eraill i'r adran hon nad ydynt yn berthnasol i Gymru.
  - (5) Diwygiwyd adran 569(4) o Ddeddf Addysg 1996 gan adran 8(1) a (5) o Fesur Addysg (Cymru) 2009 (mccc 7).
  - (6) 2002 p. 32. Diwygiwyd is-adrannau (1) a (2) o adran 30 gan adran 103(1)(a) ac (c) o Ddeddf Addysg 2005 (p. 18) a chan O.S. 2010/1158.

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- (1) 1996 c. 56. Section 29(2) was repealed by Schedule 30 and paragraph 67 of Schedule 31 to the School Standards and Framework Act 1998 (c. 31). Section 29(3) was also amended by Schedule 30 and paragraph 67 of Schedule 31 to the School Standards and Framework Act 1998. The heading of section 29 and subsections (1), (3) and (5) were amended by S.I. 2010/1158. Section 29(6) was repealed by paragraph 35 of Part 3 of Schedule 21 to the Education Act 2002 (c. 32). Section 29(6A) was inserted by section 9(1) and (2) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (anaw 3).
  - (2) Section 408 of the Education Act 1996 was amended by paragraph 30 of Schedule 7 and Schedule 8 to the Education Act 1997 (c. 44), paragraphs 57 and 106 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998, paragraphs 1 and 57 of Schedule 9 to the Learning and Skills Act 2000 (c. 21), Schedule 21 to the Education Act 2002, Schedule 12 and Part 7 of Schedule 16 to the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 9(1) and (3) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, Schedule 4 to the Qualifications Wales Act 2015 (anaw 5) and by S.I. 2010/1158.
  - (3) Section 537 of the Education Act 1996 was amended by paragraph 37 of Schedule 7 to the Education Act 1997, paragraphs 57 and 152 of Schedule 30 to the School Standards and Framework Act 1998, paragraph 60 of Schedule 9 to the Learning and Skills Act 2000, Part 2 of Schedule 7 and Part 3 of Schedule 22 to the Education Act 2002, Schedule 13 to the Education Act 2011 (c. 21), and by S.I. 2010/1158.
  - (4) Section 537A of the Education Act 1996 was substituted by paragraph 153 of Schedule 30 to the School Standards and Framework Act 1998 and further amended by S.I. 2010/1158. There are other amendments to this section which are not relevant to Wales.
  - (5) Section 569(4) of the Education Act 1996 was amended by section 8(1) and (5) of the Education (Wales) Measure 2009 (nawm 7).

ac sy'n arferadwy ganddynt hwy(1) ac ar ôl ymgynghori â'r personau hynny yr oedd ymgynghori â hwy yn ymddangos yn ddymunol i Weinidogion Cymru yn unol ag adran 408(5) o Ddeddf Addysg 1996, yn gwneud y Rheoliadau a ganlyn:

### Enwi, cychwyn a chymhwys

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Cwricwlwm Cenedlaethol (Diwygiadau Amrywiol) (Cymru) 2016 a deuant i rym ar 1 Medi 2016.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

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

2. Mae Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Cymru) 2007(2) wedi eu diwygio fel a ganlyn—

(a) yn rheoliad 3—

(i) yn lle'r diffiniad o "cyfnod allweddol" rhodder—

"ystyr "cyfnod allweddol" ("*key stage*") yw unrhyw un neu ragor o'r cyfnodau a nodir ym mharagraffau (b) i (d) o adran 103(1) o Ddeddf 2002 ac mae cyfeiriad at yr ail gyfnod allweddol neu'r trydydd cyfnod allweddol yn gyfeiriad at y cyfnodau a nodir yn y drefn honno ym mharagraffau (b) ac (c) o adran 103(1) o Ddeddf 2002;"; a

(ii) yn y lle priodol mewnosoder—

"mae "cyfnod sylfaen" ("*foundation phase*") i'w ddechongli yn unol ag adran 102 o Ddeddf 2002;";

(b) yn rheoliad 5(5)(a) yn lle "yng nghyfnod allweddol un, dau neu dri" rhodder "yn y cyfnod sylfaen, yr ail gyfnod allweddol neu'r trydydd cyfnod allweddol"; ac

(c) yn lle is-baragraff (a) ym mharagraff 9 o Atodlen 2 rhodder—

"(a) holl anghenion addysgol arbennig y disgybl a nodwyd;".

2002(1) and exercisable by them(2) and after consulting with those persons with whom consultation appeared to the Welsh Ministers to be desirable pursuant to section 408(5) of the Education Act 1996 make the following Regulations:

### Title, commencement and application

1.—(1) The title of these Regulations is the National Curriculum (Miscellaneous Amendments) (Wales) Regulations 2016 and they come into force on 1 September 2016.

(2) These Regulations apply in relation to Wales.

### Education (Information About Individual Pupils) (Wales) Regulations 2007

2. The Education (Information About Individual Pupils) (Wales) Regulations 2007(3) are amended as follows—

(a) in regulation 3—

(i) for the definition of "key stage" substitute—

"“key stage” ("*cyfnod allweddol*") means any of the periods set out in paragraphs (b) to (d) of section 103(1) of the 2002 Act and a reference to the second key stage or the third key stage is a reference to the periods set out respectively in paragraphs (b) and (c) of section 103(1) of the 2002 Act;"; and

(ii) in the appropriate place insert—

"“foundation phase” ("*cyfnod sylfaen*") is to be construed in accordance with section 102 of the 2002 Act;";

(b) in regulation 5(5)(a) for "first" substitute "foundation phase"; and

(c) for sub-paragraph (a) in paragraph 9 of Schedule 2 substitute—

"(a) all of the pupil's special educational needs identified;".

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(1) Rhoddwyd y swyddogaethau yn yr adrannau o Ddeddf Addysg 1996 i'r Ysgrifennydd Gwladol ac fe'u trosglwyddwyd i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru o dan baragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32). Rhoddwyd y swyddogaethau yn yr adrannau o Ddeddf Addysg 2002 i Gynulliad Cenedlaethol Cymru ac fe'u trosglwyddwyd i Weinidogion Cymru o dan baragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

(2) O.S. 2007/3562 (Cy. 312) fel y'i diwygiwyd gan O.S. 2010/1142, O.S. 2011/2325 (Cy. 242), O.S. 2013/3137 (Cy. 310), O.S. 2016/211 (Cy. 84) ac O.S. 2016/236 (Cy. 88).

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(1) 2002 c. 32. Subsections (1) and (2) of section 30 were amended by section 103(1)(a) and (c) of the Education Act 2005 (c. 18) and by S.I. 2010/1158.

(2) The functions in the sections in the Education Act 1996 were conferred on the Secretary of State and were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers under paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32). The functions in the sections in the Education Act 2002 were conferred on the National Assembly for Wales and were transferred to the Welsh Ministers under paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006.

(3) S.I. 2007/3562 (W. 312) as amended by S.I. 2010/1142, S.I. 2011/2325 (W. 242), S.I. 2013/3137 (W. 310), S.I. 2016/211 (W. 84) and S.I. 2016/236 (W. 88).

## Rheoliadau Gwybodaeth am Ddisgyblion (Cymru) 2011

3. Yn rheoliad 3(1) o Reoliadau Gwybodaeth am Ddisgyblion (Cymru) 2011(1) yn lle “Atodlen 2” rhodder “yr Atodlen i Reoliadau Adroddiad Pennaeth i Rieni a Disgyblion sy’n Oedolion (Cymru) 2011”.

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

4. Yn y diffiniad o “maes dysgu” yn rheoliad 2(1) o Reoliadau Adroddiad Pennaeth i Rieni a Disgyblion sy’n Oedolion (Cymru) 2011(2), yn lle ““Fframwaith ar gyfer Dysgu Plant 3 i 7 oed yng Nghymru”” rhodder ““Cwricwlwm Cymru: Fframwaith y Cyfnod Sylfaen””(3).

## Rheoliadau Gwybodaeth am Berfformiad Ysgolion (Cymru) 2011

5. Yn rheoliad 2(1) o Reoliadau Gwybodaeth am Berfformiad Ysgolion (Cymru) 2011(4) yn y diffiniad o “asesiadau statudol” cyn is-baragraff (i) mewnosoder—

“(ai) yng Ngorchymyn y Cwricwlwm Cenedlaethol (Deilliannau Dymunol, Rhaglenni Addysg a Threfniadau Asesu Sylfaenol a Diwedd Cyfnod ar gyfer y Cyfnod Sylfaen) (Cymru) 2015;”(5).

## Pupil Information (Wales) Regulations 2011

3. In regulation 3(1) of the Pupil Information (Wales) Regulations 2011(1) for “Schedule 2” substitute “the Schedule to the Head Teacher’s Report to Parents and Adult Pupils (Wales) Regulations 2011”.

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

4. In the definition of “area of learning” in regulation 2(1) of the Head Teacher’s Report to Parents and Adult Pupils (Wales) Regulations 2011(2), for ““Framework for Children’s Learning for 3 to 7 year-olds in Wales”” substitute ““Curriculum for Wales: Foundation Phase Framework””(3).

## School Performance Information (Wales) Regulations 2011

5. In regulation 2(1) of the School Performance Information (Wales) Regulations 2011(4) in the definition of “statutory assessments” before subparagraph (i) insert—

“(ai) in the National Curriculum (Desirable Outcomes, Educational Programmes and Baseline and End of Phase Assessment Arrangements for the Foundation Phase) (Wales) Order 2015;”(5).

*Kirsty Williams*

Ysgrifennydd y Cabinet dros Addysg, un o Weinidogion Cymru  
5 Awst 2016

Cabinet Secretary for Education, one of the Welsh Ministers  
5 August 2016

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(5) O.S. 2015/1596 (Cy. 195).

(1) S.I. 2011/1942 (W. 209).  
(2) S.I. 2011/1943 (W. 210) as amended by S.I. 2013/437 (W. 53), S.I. 2014/1998 (W. 199) and S.I. 2016/236 (W. 88).  
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(5) S.I. 2015/1596 (W. 195).





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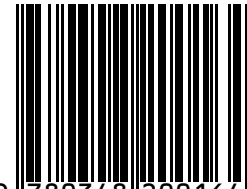
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