OFFERYNNAU STATUDOL CYMRU

2017 Rhif 965 (Cy. 248)

ADDYSG, CYMRU

Rheoliadau Addysg (Offer Peryglus mewn Ysgolion) (Dileu'r Cyfyngiadau ar Ddefnydd) (Cymru) 2017

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn dirymu Rheoliadau Addysg (Ysgolion ac Addysg Bellach ac Uwch) 1989 ("Rheoliadau 1989") (rheoliad 2). Mae hyn yn dileu'r gofyniad yn Rheoliadau 1989—

(a) i ysgolion a gynhelir, ysgolion nas cynhelir a sefydliadau addysg bellach gael cymeradwyaeth Gweinidogion Cymru cyn defnyddio, at ddibenion hyfforddi, sylweddau ymbelydrol penodol a chyfarpar penodol ("y Gofyniad"); a

(b) i hostelau ar gyfer disgyblion ag anghenion addysgol arbennig gael eu harolygu. Nid oes unrhyw hostelau o'r fath yng Nghymru mwyach ac felly mae'r gofyniad i arolygu yn ddiangen.

Roedd y Gofyniad hefyd yn gymwys i sefydliadau addysg uwch. Fodd bynnag, yn dilyn diddymu adran 218(1)(e), (f) a (7) o Ddeddf Diwygio Addysg 1988 gan Ran 3 o Atodlen 2 i Ddeddf Addysg 2002, nid yw'r Gofyniad yn gymwys mwyach i sefydliadau addysg uwch.

Mae'r Rheoliadau hyn hefyd yn dileu'r gofyniad yn Rheoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994 i ysgolion annibynnol a gymeradwyir o dan adran 347 o Ddeddf Addysg 1996 hysbysu Gweinidogion Cymru yn ysgrifenedig cyn defnyddio sylweddau a chyfarpar o'r fath at ddibenion hyfforddi (rheoliad 3).

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.

WELSH STATUTORY INSTRUMENTS

2017 No. 965 (W. 248)

EDUCATION, WALES

The Education (Hazardous Equipment in Schools) (Removal of Restrictions on Use) (Wales) Regulations 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Education (Schools and Further and Higher Education) Regulations 1989 ("the 1989 Regulations") (regulation 2). This removes the requirement in the 1989 Regulations—

(a) for maintained schools, non maintained schools and further education institutions to obtain the Welsh Ministers approval before using for the purposes of instruction certain radioactive substances and certain apparatus ("the Requirement"); and

(b) for hostels for pupils with special educational needs to be inspected. There are no longer any such hostels in Wales and the requirement for inspection is therefore redundant.

The Requirement also applied to higher education institutions. However, following the repeal of section 218(1)(e), (f) and (7) of the Education Reform Act 1988 by Part 3 of Schedule 2 to the Education Act 2002 the Requirement no longer applies to higher education institutions.

These Regulations also remove the requirement in the Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994 for independent schools approved under section 347 of the Education Act 1996 to notify the Welsh Ministers in writing before using such substances and apparatus for the purposes of instruction (regulation 3).

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.

OFFERYNNAU STATUDOL CYMRU

2017 Rhif 965 (Cy. 248)

ADDYSG, CYMRU

Rheoliadau Addysg (Offer Peryglus mewn Ysgolion) (Dileu'r Cyfyngiadau ar Ddefnydd) (Cymru) 2017

Gwnaed	*3 Hydref 2017*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*5 Hydref 2017*
Yn dod i rym	*1 Tachwedd 2017*

Mae Gweinidogion Cymru, drwy arfer y pwerau yn adrannau 347(2), 544(2), 546 a 569(4) a (5) o Ddeddf Addysg 1996(**1**), ac yn adrannau 203(3) a 210(1) o Ddeddf Addysg 2002(**2**), ac sydd bellach yn arferadwy ganddynt hwy, yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Offer Peryglus mewn Ysgolion) (Dileu'r Cyfyngiadau ar Ddefnydd) (Cymru) 2017.

(2) Daw'r Rheoliadau hyn i rym ar 1 Tachwedd 2017.

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

(**1**) 1996 p. 56. Diwygiwyd adran 546 gan baragraff 162 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31) a chan O.S. 2011/1158. Diwygiwyd adran 563 gan baragraff 172 o Atodlen 30 i'r Ddeddf honno. Rhoddwyd y swyddogaethau yn adrannau 347, 544, 546 a 569 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 maent bellach wedi eu breinio yng Ngweinidogion Cymru gan baragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(**2**) 2002 p. 32. Diwygiwyd adran 203(5) gan baragraff 13(1) a (5)(b) o Atodlen 13 i Ddeddf Addysg 2011 (p. 21). Rhoddwyd y swyddogaethau yn adran 203 o Ddeddf Addysg 2002 i Gynulliad Cenedlaethol Cymru ac maent bellach wedi eu breinio yng Ngweinidogion Cymru gan baragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

WELSH STATUTORY INSTRUMENTS

2017 No. 965 (W. 248)

EDUCATION, WALES

The Education (Hazardous Equipment in Schools) (Removal of Restrictions on Use) (Wales) Regulations 2017

Made	*3 October 2017*
Laid before the National Assembly for Wales	*5 October 2017*
Coming into force	*1 November 2017*

The Welsh Ministers in exercise of the powers in sections 347(2), 544(2), 546 and 569(4) and (5) of the Education Act 1996(**1**), and in sections 203(3) and 210(1) of the Education Act 2002(**2**), and now exercisable by them make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Hazardous Equipment in Schools) (Removal of Restrictions on Use) (Wales) Regulations 2017.

(2) These Regulations come into force on 1 November 2017.

(3) These Regulations apply in relation to Wales.

(**1**) 1996 c. 56. Section 546 was amended by paragraph 162 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31) and by S.I. 2011/1158. Section 563 was amended by paragraph 172 of Schedule 30 to that Act. The functions in sections 347, 544, 546 and 569 of the Education Act 1996 were conferred on the Secretary of State and transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now vested in the Welsh Ministers by paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**2**) 2002 c. 32. Section 203(5) was amended by paragraph 13(1) and (5)(b) of Schedule 13 to the Education Act 2011 (c. 21). The functions in section 203 of the Education Act 2002 were conferred on the National Assembly for Wales and are now vested in the Welsh Ministers by paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006.

Dirymu

2. Mae'r Rheoliadau a ganlyn wedi eu dirymu—

(a) Rheoliadau Addysg (Ysgolion ac Addysg Bellach ac Uwch) 1989(**1**); a

(b) Rheoliadau Addysg (Ysgolion ac Addysg Bellach ac Uwch) (Diwygio) (Cymru) 2001(**2**).

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

3. Yn Atodlen 1 i Reoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994(**3**) hepgorer paragraff 7.

Revocation

2. The following Regulations are revoked—

(a) the Education (Schools and Further and Higher Education) Regulations 1989(**1**); and

(b) the Education (Schools and Further and Higher Education) (Amendment) (Wales) Regulations 2001(**2**).

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

3. In Schedule 1 to the Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994(**3**) omit paragraph 7.

Kirsty Williams

Ysgrifennydd y Cabinet dros Addysg, un o Weinidogion Cymru
3 Hydref 2017

Cabinet Secretary for Education, one of the Welsh Ministers
3 October 2017

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(**1**) O.S. 1989/351 fel y'i diwygiwyd gan O.S. 2001/692 ac O.S. 2004/57. Dirymwyd y Rheoliadau hyn o ran Lloegr gan O.S. 2008/1701.
(**2**) O.S. 2001/3708 (Cy. 304).
(**3**) O.S. 1994/651. Dirymwyd y Rheoliadau hyn o ran Lloegr gan O.S. 2008/1701.

(**1**) S.I. 1989/351 as amended by S.I. 2001/692 and S.I. 2004/57. These Regulations were revoked in relation to England by S.I. 2008/1701.
(**2**) S.I. 2001/3708 (W. 304).
(**3**) S.I. 1994/651. These Regulations were revoked in relation to England by S.I. 2008/1701.

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