



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

**1999 Rhif 2817 (Cy.18)**

**1999 No. 2817 (W.18)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

Rheoliadau Addysg  
(Cymwysterau a  
Safonau Iechyd Athrawon)  
(Cymru) 1999

The Education  
(Teachers' Qualifications and  
Health Standards) (Wales)  
Regulations 1999

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

At ei gilydd mae'r Rheoliadau hyn yn ailddeddfu'r darpariaethau presennol yn Rheoliadau Addysg (Athrawon) 1993. Maent hefyd yn cyflwyno darpariaethau newydd sy'n tynhau'r moddion archwilio a gwirio sy'n ymwneud â chyflogaeth a chymwysterau athrawon

These Regulations largely re-enact existing provisions in the Education (Teachers) Regulations 1993. They also introduce new provisions which tighten checks relating to the employment and qualifications of teachers.

Mae'r Rheoliadau yn cynnwys amrywiaeth o fesurau sy'n ymwneud â chyflogaeth a chymwysterau athrawon mewn ysgolion yn ogystal â newidiadau sy'n deillio o'r fframwaith newydd i ysgolion a amlinellir yn Deddf Safonau a Fframwaith Ysgolion 1998. Byddant yn:

The Regulations contain a variety of measures relating to the employment and qualifications of teachers in schools as well as changes resulting from the new school framework set out in the School Standards and Framework Act 1998. They will:

- darparu ar gyfer staffio ysgolion a gynhelir a rhai sefydliadau addysg bellach;
- ei gwneud yn ofynnol bod cyflogwyr athrawon a rhai aelodau eraill o staff mewn ysgolion a gynhelir a sefydliadau addysg bellach yn fodlon ar iechyd a chyneddfau corfforol a meddyliol eu staff;
- adlewyrchu darpariaethau Deddf Gwahaniaethau ar Sail Anabledd 1995;
- darparu bod athrawon a gyflogir mewn ysgolion a gynhelir yn athrawon cymwysedig, gyda rhai eithriadau, ac yn gwneud darpariaeth arbennig i athrawon disgyblion a nam ar eu clyw, a nam ar eu golwg ac a nam ar eu clyw a'u golwg;
- darparu bod person sy'n athro cymwysedig at ddibenion Rheoliadau sy'n ymwneud â chymyswso athrawon yn Lloegr yn cael ei drin yn gyfartal fel athro cymwysedig yng Nghymru.

- make provision for the staffing of maintained schools and certain further education institutions;
- require employers of teachers and certain other staff at maintained schools and further education institutions to be satisfied as to the health and physical and mental capacities of such staff;
- reflect the provisions of the Disability Discrimination Act 1995;
- provide for teachers employed in maintained schools to be qualified teachers, subject to some exception, and make special provision for teachers of hearing impaired, visually impaired and hearing and visually impaired pupils;
- provide that a person who is a qualified teacher for the purposes of Regulations concerning teachers' qualification to be made in relation to England is to be treated equally as a qualified teacher in Wales.

Nid yw'r Rheoliadau hyn yn disodli darpariaethau sy'n ymwneud â gwahardd a gynhwysir yn Rheoliadau Addysg (Athrawon) 1993.

The Regulations do not supersede the provisions in relation to barring contained in the 1993 Education (Teachers) Regulations 1993.

1999 Rhif 2817 (Cy.18)

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## ADDYSG, CYMRU

## EDUCATION, WALES

Rheoliadau Addysg  
(Cymwysterau a  
Safonau Iechyd Athrawon)  
(Cymru) 1999

The Education  
(Teachers' Qualifications and  
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*Wedi'u gwneud**31 Awst 1999**Made**31st August 1999**Yn dod i rym**1 Medi 1999**Coming into force**1st September 1999*

Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 218(1)(a), (b), (d), (2), (2A), (2B), (3), (5), a 232(5) a (6) o Ddeddf Diwygio Addysg 1998(a) ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(b), mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol:

In exercise of the powers conferred on the Secretary of State by sections 218(1)(a), (b), (d), (2), (2A), (2B), (3), (5), and 232(5) and (6) of the Education Reform Act 1988(a) and now vested in the National Assembly for Wales(b), the National Assembly for Wales makes the following Regulations:

**RHAN 1  
CYFFREDINOL**

**PART I  
GENERAL**

**Enwi a chychwyn**

1. Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Cymru) 1999 a deuant i rym ar 1 Medi 1999.

**Citation and commencement**

1. These Regulations may be cited as the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 and shall come into force on 1st September 1999.

**Diddymiadau a darpariaethau trosiannol**

2.—(1) Bydd i Ran I o Atodlen 1 effaith o ran y diddymiadau a grybwyllir yno.

(2) Bydd i Ran II o Atodlen 1 effaith o ran y materion trosiannol a grybwyllir yno.

**Revocations and transitional provisions**

2.—(1) Part I of Schedule I shall have effect as respects the revocations there mentioned.

(2) Part II of Schedule 1 shall have effect as respects the transitional matters there mentioned.

(a) 1988 p.40; diwygiwyd adran 218 gan baragraff 49 o Atodlen 8 ac Atodlen 9 i Ddeddf Addysg Bellach ac Uwch 1992 (p.13), adran 290 o Ddeddf Addysg 1993 (p.35), adrannau 290 a 291 o Ddeddf Addysg 1993 (p.35), adran 14 o Ddeddf Addysg 1994 (p.30), paragraff 76 o Atodlen 37 ac Atodlen 38 i Ddeddf Addysg 1996 (p.56), Adran 49 o Ddeddf Addysg 1997 (p.44), ac Atodlen 4 i Ddeddf Addysgu ac Addysg Uwch 1998 (p.30). Mae adran 218 wedi'i diwygio'n rhagolygol gan adrannau 11, 13 ac 18 o Ddeddf Addysgu ac Addysg Uwch 1998, a pharagraff 17 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31). Diwygiwyd adran 232(6) gan adran 14 o Ddeddf Addysg 1994 a pharagraff 6 o Atodlen 3 ac Atodlen 4 i Ddeddf Addysgu ac Addysg Uwch 1998.

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/1672).

(a) 1988 c.40; section 218 was amended by paragraph 49 of Schedule 8 and Schedule 9 to the Further and Higher Education Act 1992 (c.13), section 290 of the Education Act 1993 (c. 35), sections 290 and 291 of the Education Act 1993 (c.35), section 14 of the Education Act 1994 (c.30), paragraph 76 of Schedule 37 and Schedule 38 to the Education Act 1996 (c.56), section 49 of the Education Act 1997 (c.44), and Schedule 4 to the Teaching and Higher Education Act 1998 (c.30). Section 218 is prospectively amended by sections 11, 13 and 18 of the Teaching and Higher Education Act 1998, and paragraph 17 of Schedule 30 to the School Standards and Framework Act 1998 (c.31). Section 232(6) was amended by section 14 of the Education Act 1994 and paragraph 6 of Schedule 3 and Schedule 4 to the Teaching and Higher Education Act 1998.

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/1672).

## Dehongli

3.—(1) Ac eithrio lle bo'r cyd-destun yn mynnu fel arall, yn y Rheoliadau hyn —

- (a) mae cyfeiriad at ysgol yn gyfeiriad at ysgol a gynhelir gan awdurdod addysg lleol neu ysgol arbennig na chynhelir mohoni felly;
- (b) mae cyfeiriad at sefydliad addysg bellach yn gyfeiriad at sefydliad, nad yw'n ysgol, sy'n darparu addysg bellach (p'un a yw'n darparu addysg uwch hefyd neu beidio) ac sydd —
  - (i) naill ai'n cael ei gynnal gan awdurdod addysg lleol, neu
  - (ii) yn y sector addysg bellach;
- (c) mae cyfeiriad heb oleddfau at sefydliad yn gyfeiriad at sefydliad addysg bellach neu sefydliad yn y sector addysg uwch; a
- (d) mae cyfeiriad at weithiwr gyda phlant neu bobl ifanc yn gyfeiriad at berson, heblaw athro, y mae ei waith yn dod ag ef i gysylltiad rheolaidd â phersonau nad ydynt wedi cyrraedd 19 oed eto.

(2) Ac eithrio lle bo'r cyd-destun yn mynnu fel arall, yn y Rheoliadau hyn —

ystyr “sefydliad achrededig” yw sefydliad a achredir gan Gyngor Cyllido Addysg Uwch Cymru o dan baragraff 2 o Atodlen 3;

ystyr “Cynulliad” yw Cynulliad Cenedlaethol Cymru(a);

ystyr “awdurdodiad” yw awdurdodiad i addysgu a roir i berson gan y Cynulliad yn unol â Rhan III neu II o Atodlen 2;

ystyr “BTEC” yw'r Cyngor Addysg Busnes a Thechnoleg;

ystyr “coleg dinasol” yw coleg technoleg dinasol neu goleg dinasol ar gyfer technoleg y celfyddydau;

mae i “cwmni” yr un ystyr ag sdd i “company” yn Neddf Cwmnïau 1985(b);

ystyr “athro graddedig” yw person y rhoddwyd awdurdodiad iddo yn unol â Rhan II o Atodlen 2;

ystyr “â nam ar y clyw” yw byddar neu rannol fyddar;

ystyr “addysg uwch” yw addysg a ddarperir drwy unrhyw un o'r cyrsiau canlynol —

- (a) cwrs i roi hyfforddiant pellach i athrawon neu weithwyr ieuencid a gweithwyr cymunedol;

(a) Sefydlwyd Cynulliad Cenedlaethol Cymru gan adran 1 o Ddeddf Llywodraeth Cymru 1998 (p.38). Trosglwyddwyd holl swyddogaethau'r Ysgrifennydd Gwladol sy'n berthnasol i'r Rheoliadau hyn i'r Cynulliad gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 o 1 Gorffennaf 1999 ymlaen. Yn unol â hynny, dylid dehongli, mewn perthynas â Chymru, gyfeiriadau at yr Ysgrifennydd Gwladol yn yr adrannau perthnasol o Ddeddf Diwygio Addysg 1988 a'r Atodlenni iddi fel cyfeiriad, neu fel petai'n cynnwys cyfeiriad, at y Cynulliad. Gweler adran 43 o Ddeddf Llywodraeth Cymru 1998.

(b) 1985 p.6.

## Interpretation

3.—(1) Except where the context otherwise requires, in these Regulations —

- (a) a reference to a school is a reference to a school maintained by a local education authority or a special school not so maintained;
- (b) a reference to a further education institution is a reference to an institution, not being a school, which provides further education (whether or not it also provides higher education) and either —
  - (i) is maintained by a local education authority, or
  - (ii) is within the further education sector;
- (c) a reference to an institution without qualification is a reference to a further education institution or an institution within the higher education sector; and
- (d) a reference to a worker with children or young persons is a reference to a person, other than a teacher, whose work brings him regularly into contact with persons who have not attained the age of 19 years.

(2) Except where the context otherwise requires, in these Regulations —

“accredited institution” means an institution accredited by the Higher Education Funding Council for Wales under paragraph 2 of Schedule 3;

“Assembly” means the National Assembly for Wales(a);

“authorisation” means an authorisation to teach granted to a person by the Assembly in accordance with Part II or III of Schedule 2;

“BTEC” means the Business and Technology Education Council;

“city college” means a city technology college or a city college for the technology of the arts;

“company” has the same meaning as in the Companies Act 1985(b);

“graduate teacher” means a person to whom an authorisation has been granted in accordance with Part II of Schedule 2;

“hearing impaired” means deaf or partially hearing;

“higher education” means education provided by any of the following courses —

- (a) a course for the further training of teachers or youth and community workers;

(a) The National Assembly for Wales was established by section 1 of the Government of Wales Act 1998 (c.38). All the functions of the Secretary of State relevant to these Regulations are transferred to the Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 with effect from 1st July 1999. Accordingly, in relation to Wales, references to the Secretary of State in the relevant sections of and Schedules to the Education Reform Act 1988 are to be construed as being, or including, a reference to the Assembly see section 43 of the Government of Wales Act 1998.

(b) 1985 c.6.

- (b) cwrs ôl-raddedig (gan gynnwys cwrs gradd uwch);
- (c) cwrs gradd gyntaf;
- (d) cwrs ar gyfer y Diploma Addysg Uwch;
- (e) cwrs ar gyfer Diploma Cenedlaethol Uwch BTEC neu Dystysgrif Genedlaethol Uwch BTEC a ddarperir gan Sefydliad Edexcel, neu'r Ddiploma mewn Astudiaethau Rheoli;
- (f) cwrs ar gyfer y Dystysgrif Addysg;
- (g) cwrs i baratoi ar gyfer Cymhwyster Galwedigaethol Cenedlaethol ar lefel 4 neu 5;
- (h) cwrs sy'n darparu addysg (boed er mwyn paratoi ar gyfer arholiad neu beidio) ar safon uwch na safon y cyrsiau sy'n darparu addysg i baratoi ar gyfer arholiadau safon uwch safon y Dystysgrif Addysg Gyffredinol neu arholiad ar gyfer Tystysgrif Genedlaethol BTEC neu Ddiploma Cenedlaethol BTEC a ddarperir gan y Sefydliad Edexcel;

ystyr "a nam ar y golwg" yw dall neu rannol ddall.

ystyr "athro cofrestredig" yw person y rhoddwyd awdurdodiad iddo yn unol â Rhan III o Atodlen 2; mae i "athro cymwysedig" yr ystyr a roddir iddo gan Reoliad 10 a dylid dehongli "athro anghymwysedig" yn unol â hynny;

mae i "cyflogaeth berthnasol" yr ystyr a roddir iddo gan reoliad 5; ac

ystyr "y corff sy'n argymhell" yw'r corff sy'n trefnu'r hyfforddiant a roddwyd neu sydd i'w roi i'r person a enwir yn yr argymhelliad.

### (3) Yn y Rheoliadau hyn —

- (a) mae unrhyw gyfeiriad at Reoliadau 1959 yn gyfeiriad at Reoliadau Ysgolion 1959(a) (fel y bônt mewn grym o bryd i'w gilydd) gan gynnwys y rheoliadau hynny a gymhwysir i athrawon mewn ysgolion arbennig gan reoliad 16 Reoliadau Disgyblion dan Anfantis ac Ysgolion Arbennig 1959(b), a dehonglir unrhyw gyfeiriad at gymeradwyaeth at ddibenion unrhyw ddarpariaeth yn Rheoliadau 1959 fel un sy'n cynnwys cyfeiriad at gymeradwyaeth, a oedd yn cael effaith, yn rhinwedd Rheoliad 21 o'r Rheoliadau hynny, fel petai wedi'i roi o dan y ddarpariaeth honno
- (b) mae unrhyw gyfeiriad at Reoliadau 1982 yn gyfeiriad at Reoliadau Addysg (Athrawon) 1982(c);
- (c) mae unrhyw gyfeiriad at Reoliadau 1989 yn gyfeiriad at Reoliadau Addysg (Athrawon) 1989(d); a

(a) O.S. 1959/364; O.S. 1968/1281, 1969/1777, 1971/342, 1973/2021 a 1975/1054 yw'r offerynnau diwygio perthnasol.

(b) O.S. 1959/365; O.S. 1968/1281 a 1971/342 yw'r offerynnau diwygio perthnasol.

(c) O.S. 1982/106 fel y'i diwygiwyd gan O.S. 1988/542 a 1989/329.

(d) O.S. 1989/1319.

- (b) a post-graduate course (including a higher degree course);
- (c) a first degree course;
- (d) a course for the Diploma of Higher Education;
- (e) a course for the BTEC Higher National Diploma or BTEC Higher National Certificate provided by the Edexcel Foundation, or the Diploma in Management Studies;
- (f) a course for the Certificate in Education;
- (g) a course in preparation for a National Vocational Qualification at level 4 or 5;
- (h) a course providing education (whether or not in preparation for an examination) at a standard higher than the standard of courses providing education in preparation for examinations at advanced level for the General Certificate of Education or the examination for the BTEC National Certificate or the BTEC National Diploma provided by the Edexcel Foundation;

"qualified teacher" has the meaning given to it by regulation 10 and "unqualified teacher" shall be construed accordingly;

"recommending body" means the body that is the organiser of the training given or to be given to the person named in the recommendation;

"registered teacher" means a person to whom an authorisation has been granted in accordance with Part III of Schedule 2;

"relevant employment" has the meaning given to it by regulation 5; and

"visually impaired" means blind or partially sighted.

### (3) In these Regulations —

- (a) any reference to the 1959 Regulations is a reference to the Schools Regulations 1959(a) (as from time to time in force) including those regulations as applied to teachers at special schools by regulation 16 of the Handicapped Pupils and Special Schools Regulations 1959(b), and any reference to an approval for the purposes of any provision of the 1959 Regulations shall be construed as including a reference to an approval which, by virtue of regulation 21 thereof, had effect as if given under that provision;
- (b) any reference to the 1982 Regulations is a reference to the Education (Teachers) Regulations 1982(c);
- (c) any reference to the 1989 Regulations is a reference to the Education (Teachers) Regulations 1989(d); and

(a) S.I. 1959/364; the relevant amending instruments are S.I. 1968/1281, 1969/1777, 1971/342, 1973/2021 and 1975/1054.

(b) S.I. 1959/365; the relevant amending instruments are S.I. 1968/1281 and 1971/342.

(c) S.I. 1982/106 as amended by S.I. 1988/542 and 1989/329.

(d) S.I. 1989/1319.

(d) mae unrhyw gyfeiriad at Reoliadau 1993 yn gyfeiriad at Reoliadau Addysg (Athrawon) 1993.(a)

(4) Ac eithrio lle bo'r cyd-destun yn mynnu fel arall, gall cymeradwyaeth at ddibenion y Rheoliadau hyn fod yn gymwys yn gyffredinol (yn ddarostyngedig i'r eithriadau, os oes rhai, a bennir ynddynt) neu mewn achos penodol yn unig. Ystyr "wedi'i gymeradwyo" ynglŷn â chwrs yw wedi'i gymeradwyo gan y Cynulliad.

(5) Mae unrhyw gyfeiriadau yn y Rheoliadau hyn at reoliad neu at Atodlen i hyn yn gyfeiriad at reoliad a gynhwysir yma neu at Atodlen i hyn. Mae unrhyw gyfeiriad mewn rheoliad neu Atodlen at baragraff yn gyfeiriad at baragraff o'r rheoliad hwnnw neu'r Atodlen honno. Mae unrhyw gyfeiriad mewn paragraff at is-baragraff yn gyfeiriad at is-baragraff ohono.

## **RHAN II DARPARIAETHAU SY'N GYMWYS I YSGOLION A SEFYDLIADAU ADDYSG BELLACH**

### **Staffio ysgolion a sefydliadau addysg bellach**

4.—(1) Mewn unrhyw ysgol neu sefydliad addysg bellach cyflogir staff o athrawon sy'n addas ac y mae eu nifer yn ddigon i ddibenion sicrhau bod addysg briodol i oeddrannau, galluoedd, doniau ac anghenion y disgyblion neu'r myfyrwyr yn cael ei darparu gan roi sylw i unrhyw drefniadau ar gyfer defnyddio gwasanaethau'r athrawon a gyflogir y tu allan i'r ysgol neu'r sefydliad addysg bellach dan sylw.

(2) Heb ragfarnu'r egwyddor gyffredinol paragraff (1) —

- (a) bydd y staff o athrawon a gyflogir mewn ysgol yn cynnwys prifathro neu brifathrawes;
- (b) bydd gan y staff o athrawon a gyflogir mewn sefydliad addysg bellach y cymwysterau priodol i roi hyfforddiant digonol yn y pynciau y darperir cyrsiau ynddynt.

(3) Mae'r gofyniad ym mharagraff (1) yn ychwanegol at y gofynion ynglŷn â'r cymwysterau ar gyfer cyflogaeth mewn ysgolion a gynhwysir yn Rhan IV o'r Rheoliadau hyn.

## **RHAN III DARPARIAETHAU SY'N GYMWYS YN GYFFREDINOL**

5.—(1) Yn ddarostyngedig i baragraff (2) mae unrhyw gyfeiriad yn y Rhan hon at gyflogaeth

(d) any reference to the 1993 Regulations is a reference to the Education (Teachers) Regulations 1993(a).

(4) Except where the context otherwise requires, an approval for the purposes of these Regulations may apply generally (subject to such exceptions, if any, as are specified therein) or only in a particular case, and "approved" in relation to a course means approved by the Assembly.

(5) Any references in these Regulations to a regulation or Schedule is a reference to a regulation contained herein or to a Schedule hereto, any reference in a regulation or Schedule to a paragraph is a reference to a paragraph of that regulation or Schedule and any reference in a paragraph to a sub-paragraph is a reference to a sub-paragraph thereof.

## **PART II PROVISIONS APPLYING TO SCHOOLS AND FURTHER EDUCATION INSTITUTIONS**

### **Staffing of schools and further education institutions**

4.—(1) At any school or further education institution there shall be employed a staff of teachers suitable and sufficient in numbers for the purpose of securing the provision of education appropriate to the ages, abilities, aptitudes and needs of the pupils or students having regard to any arrangements for the utilisation of the services of teachers employed otherwise than at the school or further education institution in question.

(2) Without prejudice to the generality of paragraph (1) —

- (a) the staff of teachers employed at a school shall include a head teacher;
- (b) the staff of teachers employed at a further education institution shall have qualifications appropriate to the giving of adequate instruction in the subjects in which courses are provided.

(3) The requirement in paragraph (1) is additional to the requirements relating to qualifications for employment at schools contained in Part IV of these Regulations.

## **PART III PROVISIONS OF GENERAL APPLICATION**

5.—(1) Any reference in this Part to relevant employment is subject to paragraph (2), a reference to

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(a) O.S. 1993/543.

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(a) S.I. 1993/543.

berthnasol yn gyfeiriad at gyflogaeth —

- (a) gan awdurdod addysg lleol, fel athrawon (boed mewn ysgol neu sefydliad addysg bellach neu beidio) neu fel gweithwyr gyda phlant neu bobl ifanc;
- (b) gan unrhyw gorff arall, fel athrawon mewn ysgol neu sefydliad addysg bellach; neu
- (c) gan gorff llywodraethu ysgol neu sefydliad addysg bellach fel gweithwyr gyda phlant neu bobl ifanc.

(2) At ddibenion y Rhan hon, mae cyflogaeth yn cynnwys cyflogi person i roi ei wasanaethau fel athro heblaw o dan gontract cyflogaeth a dehonglir cyfeiriadau at gyflogaeth neu gyflogaeth berthnasol yn unol â hynny.

### Safonau iechyd-penodiadau

6.—(1) Yn ddarostyngedig i baragraff (4), ni chaiff person ei benodi i gyflogaeth berthnasol os nad oes ganddo'r iechyd na'r gynneddf feddyliol a chorfforol ar gyfer y gyflogaeth honno, gan roi sylw i unrhyw ddyletswydd ar y cyflogwr o dan Ran II o Ddeddf Gwahaniaethu ar Sail Anabledd 1995(a).

(2) Os caiff person ei benodi'n athro am y tro cyntaf a bod y Cynulliad yn fodlon fod ganddo'r iechyd a'r gynneddf feddyliol a chorfforol i addysgu, caiff ei gyflogwyr dderbyn casgliadau'r Cynulliad ar y mater os ymddengys yn rhesymol iddynt wneud hynny.

(3) Os caiff person a fu gynt mewn cyflogaeth berthnasol ei benodi i gyflogaeth berthnasol, caiff ei gyflogwyr ddibynnu ar gofnod meddygol y person tra oedd yn y gyflogaeth honno er mwyn penderfynu a oes gan y person yr iechyd a'r gynneddf feddyliol a chorfforol ar gyfer cyflogaeth o'r fath.

(4) Ni fernir bod gan berson sy'n cael pensiwn ymddeol yn rhinwedd Rheoliad E4(4) o Reoliadau Pensiynau Athrawon 1997(b) (ymddeol ar sail afiechyd) yr iechyd a'r gynneddf feddyliol a chorfforol i gael ei benodi i gyflogaeth berthnasol neu i gael ei gyflogi i roi ei wasanaethau fel athro mewn ysgol neu sefydliad addysg bellach heblaw o dan gontract cyflogaeth, ond ceir penodi neu gyflogi person y daeth ei hawl i bensiwn o'r fath yn weithredol cyn 1 Ebrill 1997 i wasanaethu'n rhan amser.

(5) Nid oes dim ym mharagraff (4) yn atal penodi na chyflogi person nad yw wedi'i analluogi bellach ac y mae ei bensiwn ymddeol o'r herwydd wedi peidio â bod yn daladwy.

employment —

- (a) by a local education authority, as teachers (whether or not at a school or further education institution) or as workers with children or young persons;
- (b) by any other body, as teachers at a school or further education institution; or
- (c) by the governing body of a school or further education institution as workers with children or young persons.

(2) For the purposes of this Part, employment includes the engagement of a person to provide his services as a teacher otherwise than under a contract of employment and references to employment or relevant employment shall be construed accordingly.

### Health standards-appointments

6.—(1) Subject to paragraph (4), a person shall not be appointed to relevant employment if, having regard to any duty of the employer under Part II of the Disability Discrimination Act 1995(a), he does not have the health and mental and physical capacity for that employment.

(2) In the case of the first appointment as a teacher of a person in respect of whom the Assembly has been satisfied that he has the health and mental and physical capacity for teaching, his employers may accept the conclusions of the Assembly in the matter where it appears to them reasonable to do so.

(3) In the case of any appointment to relevant employment of a person previously in such employment, his employers may where it appears to them reasonable to do so rely upon the person's medical record while in that employment for the purpose of determining that the person has the health and mental and physical capacity for such employment.

(4) A person who is in receipt of a retirement pension by virtue of regulation E4(4) of the Teachers' Pensions Regulations 1997(b) (ill health retirement) shall not be regarded as having the health and mental and physical capacity to be appointed to relevant employment or to be engaged to provide his services as a teacher at a school or further education institution otherwise than under a contract of employment, save that a person whose entitlement to such pension took effect before 1st April 1997 may be so appointed or engaged to serve part-time.

(5) Nothing in paragraph (4) prevents the appointment or engagement of a person who has ceased to be incapacitated and whose retirement pension has for that reason ceased to be payable.

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(a) 1995 p.50

(b) O.S. 1997/3001 y mae iddo ddiwygiadau nad ydynt yn berthnasol i'r Rheoliadau hyn.

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(a) 1995 c.50.

(b) S.I. 1997/3001 to which there are amendments not relevant to these Regulations.

## Safonau iechyd-parhau mewn swydd gyflogedig

7.—(1) Ni fydd person mewn swydd gyflogedig berthnasol yn parhau yn y swydd honno os nad oes ganddo'r iechyd a'r gynneddf feddyliol a chorfforol ar gyfer y swydd honno, gan roi sylw i unrhyw ddyletswydd ar y cyflogwr o dan Ran II o Ddeddf Gwahaniaethu ar Sail Anabledd 1995.

(2) At ddibenion y rheoliad hwn, os ymddengys i'w gyflogwr nad oes gan berson yr iechyd na'r gynneddf feddyliol neu gorfforol bellach ar gyfer ei swydd gyflogedig —

- (a) byddant yn rhoi'r cyfle iddo gyflwyno tystiolaeth feddygol ac achos iddynt;
- (b) byddant yn pwysu a mesur y dystiolaeth a'r achos ac unrhyw dystiolaeth feddygol arall sydd ar gael iddynt, gan gynnwys tystiolaeth sydd wedi'i rhoi'n gyfrinachol ar y sail na fyddai er lles y person dan sylw i'w gweld;
- (c) cânt fynnu iddo ymddangos gerbron meddyg a chanddo'r cymwysterau priodol ac a benodwyd ganddynt i gael ei archwilio neu gânt drefnu bod hyn yn digwydd os yw'n gofyn amdano. Os nad yw'n ymddangos i gael ei archwilio heb reswm da neu os yw'n gwrthod rhyddhau'r wybodaeth feddygol y mae'r meddyg yn gofyn amdani, er y byddai tystiolaeth feddygol bellach yn ddymunol, cânt ddod i gasgliad ar y mater ar sail y dystiolaeth a'r wybodaeth sydd ar gael iddynt gan gynnwys y casgliad nad oes ganddo'r iechyd na'r gynneddf feddyliol a chorfforol ar gyfer ei gyflogaeth.

(3) Ar unrhyw adeg cyn yr archwiliad meddygol y cyfeirir ato ym mharagraff (2)(c) caiff y cyflogwr, neu'r person ei hun, gyflwyno i'r meddyg penodedig ddatganiad sy'n cynnwys tystiolaeth neu ddeunydd arall sy'n berthnasol i'r archwiliad: a gall meddyg a chanddo gymhwyster priodol a benodir at y diben hwnnw gan y person sy'n cael ei archwilio fod yn bresennol yn yr archwiliad.

## RHAN IV DARPARIAETHAU SY'N GYMWYS I YSGOLION YN UNIG

### Cyflogaeth y mae Rhan IV yn gymwys iddi

8. Yn ddarostyngedig i reoliad 9 bydd y rhan hon yn gymwys i gyflogi personau fel athrawon mewn ysgolion, onid ydynt yn cael eu cyflogi'n unig i ddarparu —

- (a) addysg ran-amser i bersonau dros oedran ysgol gorfodol yn unig; neu
- (b) addysg amser-llawn i bersonau sydd wedi cyrraedd 19 oed yn unig; neu

## Health standards-continued employment

7.—(1) A person in relevant employment shall not continue in that employment if, having regard to any duty of the employer under Part II of the Disability Discrimination Act 1995, he does not have the health and mental and physical capacity for that employment.

(2) For the purposes of this regulation, where it appears to his employers that a person may no longer have the health or mental or physical capacity for his employment —

- (a) they shall afford him an opportunity to submit medical evidence and make representations to them;
- (b) they shall consider such evidence and representations and any other medical evidence available to them, including such evidence which has been furnished in confidence on the ground that it would not be in the best interests of the person concerned to see it;
- (c) they may require him, or at his request shall arrange for him, to submit himself for examination by a duly qualified medical practitioner appointed by them and, if without good cause he fails to submit himself for such examination or refuses to make available medical evidence or information sought by the medical practitioner, they may reach a conclusion in the matter, including a conclusion that he no longer has the health or mental or physical capacity for his employment, on such evidence and information as is available to them, notwithstanding that further medical evidence may be desirable.

(3) At any time before such medical examination as is referred to in paragraph (2)(c) the employers, or the person himself, may submit to the appointed medical practitioner a statement containing evidence or other matter relevant to the examination: and the examination may be attended by any duly qualified medical practitioner appointed for the purpose by the person being examined.

## PART IV PROVISIONS APPLYING ONLY TO SCHOOLS

### Employment to which Part IV applies

8. Subject to regulation 9 this Part shall apply in relation to the employment of persons as teachers at schools, unless they are employed solely in the provision of —

- (a) part-time education to persons over compulsory school age only; or
- (b) full-time education to persons who have attained the age of 19 years only; or

(c) yr addysg ran-amser a'r addysg amser-llawn honno.

9. At ddibenion y Rhan hon, mae cyflogi yn cynnwys cyflogi person i roi ei wasanaethau fel athro heblaw o dan gontract cyflogi a dehonglir cyfeiriadau at gyflogi neu at fod yn gyflogedig yn unol â hynny.

#### **Cyflogi sydd wedi'i gyfyngu fel rheol i athrawon cymwysedig**

10. Ac eithrio yn yr achosion ac o dan yr amgylchiadau a nodir yn Atodlen 2, ac yn ddarostyngedig i reoliadau 11, 12, 13 a 14 ni chaiff neb ei gyflogi fel athro mewn ysgol onid yw'n athro cymwysedig yn unol ag Atodlen 3.

#### **Cyflogi athrawon disgyblion a nam ar eu clyw**

11. Yn ddarostyngedig i reoliadau 13 a 14, ni fydd neb yn athro cymwys i gael ei gyflogi mewn ysgol fel athro dosbarth o ddisgyblion y mae ganddynt nam ar eu clyw (ac eithrio er mwyn rhoi hyfforddiant mewn crefft, masnach neu bwnc cartref), onid yw'n meddu ar gymhwyster y mae'r Cynulliad yn ei gymeradwyo am y tro at ddibenion y rheoliad hwn yn ychwanegol at fod yn athro cymwysedig yn unol ag Atodlen 3.

#### **Cyflogi athrawon disgyblion a nam ar eu golwg**

12. Yn ddarostyngedig i reoliadau 13 a 14, ni fydd neb yn athro cymwysedig at ddibenion cyflogaeth mewn ysgol fel athro dosbarth o ddisgyblion y mae nam ar eu golwg (ac eithrio er mwyn rhoi hyfforddiant mewn crefft, masnach neu bwnc cartref); onid yw'n meddu ar gymhwyster y mae'r Cynulliad yn ei gymeradwyo am y tro at ddibenion y rheoliad hwn yn ychwanegol at fod yn athro cymwysedig yn unol ag Atodlen 3.

#### **Cyflogi athrawon disgyblion y mae ganddynt nam ar eu clyw a'u golwg**

13.—(1) Yn ddarostyngedig i baragraff (2) a rheoliad 14, ni fydd neb yn athro cymwysedig at ddibenion cyflogaeth mewn ysgol fel athro dosbarth o ddisgyblion y mae ganddynt nam ar eu clyw a'u golwg (ac eithrio er mwyn rhoi hyfforddiant mewn crefft, masnach neu bwnc cartref); onid yw'n meddu ar gymhwyster y mae'r Cynulliad yn ei gymeradwyo am y tro at ddibenion y rheoliad hwn yn ychwanegol at fod yn athro cymwysedig yn unol ag Atodlen 3.

(2) Bydd person sy'n meddu ar gymhwyster a gymeradwyir o dan reoliad 11 neu 12 yn athro cymwysedig at y diben a grybwyllir ym mharagraff (1) er nad yw'n meddu ar gymhwyster a gymeradwyir at ddibenion y paragraff hwnnw os yw ei gyflogwyr wedi'u bodloni nad oes unrhyw athro â chymhwyster o'r fath ar gael i addysgu'r dosbarth o dan sylw.

(c) both such part-time and such full-time education.

9. For the purposes of this Part, employment includes the engagement of a person to provide his services as a teacher otherwise than under a contract of employment and references to employment or being employed shall be construed accordingly.

#### **Employment normally restricted to qualified teachers**

10. Save in the cases and circumstances specified in Schedule 2, and subject to regulations 11, 12, 13 and 14 no person shall be employed as a teacher at a school unless he is a qualified teacher in accordance with Schedule 3.

#### **Employment of teachers of hearing impaired pupils**

11. Subject to regulations 13 and 14, a person shall not be a qualified teacher for the purpose of employment at a school as a teacher of a class of pupils who are hearing impaired (otherwise than to give instruction in a craft, trade or domestic subject), unless in addition to being a qualified teacher in accordance with Schedule 3, he possesses a qualification for the time being approved by the Assembly for the purpose of this regulation.

#### **Employment of teachers of visually impaired pupils**

12. Subject to regulations 13 and 14, a person shall not be a qualified teacher for the purpose of employment at a school as a teacher of a class of pupils who are visually impaired (otherwise than to give instruction in a craft, trade or domestic subject), unless in addition to being a qualified teacher in accordance with Schedule 3, he possesses a qualification for the time being approved by the Assembly for the purpose of this regulation.

#### **Employment of teachers of pupils who are both hearing and visually impaired**

13.—(1) Subject to paragraph (2) and regulation 14, a person shall not be a qualified teacher for the purpose of employment at a school as a teacher of a class of pupils who are both hearing impaired and visually impaired (otherwise than to give instruction in a craft, trade or domestic subject), unless in addition to being a qualified teacher in accordance with Schedule 3, he possesses a qualification for the time being approved by the Assembly for the purpose of this regulation.

(2) A person who possesses a qualification approved under regulation 11 or 12 shall be a qualified teacher for the purpose mentioned in paragraph (1) notwithstanding that he does not possess a qualification approved for the purpose of that paragraph where his employers are satisfied that no teacher with such a qualification is available to teach the class in question.



**Cyflogi dros dro athrawon disgyblion a nam ar eu golwg neu nam ar eu clyw (neu'r ddau)**

14. Gellir cyflogi person mewn ysgol arbennig fel athro dosbarth o ddisgyblion y mae ganddynt —

- (a) nam ar eu clyw;
- (b) nam ar eu golwg; neu
- (c) nam ar eu clyw a'u golwg,

er nad yw'n athro cymwysedig yn unol â rheoliad 11, 12, neu 13(1), fel y bo'r achos, at ddibenion cyflogaeth o'r fath os yw ei gyflogwyr wedi'u bodloni ei fod yn bwriadu ennill cymhwyster a gymeradwyir gan y Cynulliad o dan reoliad 11, 12 neu 13(1), fel y bo'r achos, ar yr amod, er hynny, nad yw'r cyfnod agregeidig y mae wedi'i gyflogi ar ei gyfer, mewn un neu ragor o ysgolion, fel athro'r dosbarth o ddisgyblion a grybwyllir yn is-baragraff (a), (b) neu (c), fel y bo'r achos, yn fwy na thair blynedd.

**Temporary employment of teachers of the visually impaired or hearing impaired (or both)**

14. A person may be employed at a special school as the teacher of a class of pupils who are —

- (a) hearing impaired;
- (b) visually impaired; or
- (c) both hearing impaired and visually impaired,

notwithstanding that he is not a qualified teacher in accordance with regulation 11, 12 or 13(1), as the case may be, for the purpose of such employment if his employers are satisfied that it is his intention to acquire a qualification approved by the Assembly under regulation 11, 12 or 13(1), as the case may be, provided however that the aggregate period for which he has been employed, in one or more schools, as the teacher of such a class of pupils as are mentioned in subparagraph (a), (b) or (c), as the case may be, does not exceed three years.

31 Awst 1999

*Y Llywydd, Cynulliad Cenedlaethol Cymru*

*Dafydd Elis Thomas*

*Presiding Officer, National Assembly for Wales*

31st August 1999

## ATODLEN 1

## SCHEDULE 1

**RHAN I:  
DIDDYMIADAU****PART I:  
REVOCATIONS****Rheoliadau Addysg (Athrawon) 1993  
(O.S.1993/543)**

Diddymir y darpariaethau canlynol:

Rheoliad 2(1); rheoliad 2(2) i'r graddau y mae'n ymwneud â pharagraffau 2 i 7 o Atodlen 1; rheoliad 3(3)(a) i (c); rheoliad 4; rheoliad 6; rheoliad 8; rheoliad 9; rheoliad 12 i 17; Paragraffau 2 i 7 o Atodlen 1; Atodlen 2; Atodlen 3; ynglŷn â Chymru ym mhob achos.

**Rheoliadau Addysg (Athrawon) (Diwygio) 1997  
(O.S.1997/368)**

Diddymir y Rheoliadau cyfan ynglŷn â Chymru.

**Rheoliadau Addysg (Athrawon) (Diwygio) (Rhif 2)  
1997 (O.S. 1997/2679)**

Diddymir y darpariaethau canlynol:

Yn rheoliad 2 y rheoliad 3(1)(c) a amnewidiwyd a'r rheoliad 3(2) a amnewidiwyd, heblaw'r diffiniad o "relevant employment"; rheoliadau 3 i 7; ynglŷn â Chymru ym mhob achos.

**Rheoliadau Addysg (Athrawon) (Diwygio) (O.S.  
1998/1584)**

Diddymir rheoliad 4 ynglŷn â Chymru.

**The Education (Teachers) Regulations 1993  
(S.I.1993/543)**

The following provisions are revoked:

Regulation 2(1); regulation 2(2) in so far as it relates to paragraphs 2 to 7 of Schedule 1; regulation 3(3)(a) to (c); regulation 4; regulation 6; regulation 8; regulation 9; regulations 12 to 17; Paragraphs 2 to 7 of Schedule 1; Schedule 2; Schedule 3; in each case as regards Wales.

**The Education (Teachers) (Amendment)  
Regulations 1997 (S.I. 1997/368)**

The whole Regulations are revoked as regards Wales.

**The Education (Teachers) (Amendment) (No 2)  
Regulations 1997 (S.I. 1997/2679)**

The following provisions are revoked:

In regulation 2 the substituted regulation 3(1)(c) and the substituted regulation 3(2), other than the definition of "relevant employment"; regulations 3 to 7; in each case as regards Wales.

**The Education (Teachers) (Amendment)  
Regulations (S.I. 1998/1584)**

Regulation 4 is revoked as regards Wales.

**RHAN II  
DARPARIAETHAU TROSIANNOL  
CYFFREDINOL****PART II  
GENERAL TRANSITIONAL  
PROVISIONS****Y cymwysterau presennol ar gyfer addysgu  
disgyblion â nam ar eu clyw**

1. Ymdrinnir ag unrhyw berson a oedd yn union cyn 1 Medi 1999 yn meddu ar y canlynol —

- cymhwyster a gymeradwyir at ddibenion rheoliad 14 o Reoliadau 1993; neu
- cymhwyster a gymeradwyir at ddibenion rheoliad 15 o Reoliadau 1989; neu
- cymhwyster a grybwyllir yn rheoliad 15(1) o Reoliadau 1982; neu
- cymhwyster cymaradwy a gymeradwyir at ddibenion y rheoliad hwnnw; neu

**Existing qualifications for teaching hearing  
impaired pupils**

1. Any person who immediately before 1st September 1999 possessed —

- a qualification approved for the purpose of regulation 14 of the 1993 Regulations; or
- a qualification approved for the purpose of regulation 15 of the 1989 Regulations; or
- a qualification mentioned in regulation 15(1) of the 1982 Regulations; or
- a comparable qualification approved for the purposes of that regulation; or

- (e) cymhwyster a grybwyllir yn rheoliad 20(3) o Reoliadau 1959; neu
- (f) cymhwyster cyfatebol a gymeradwyir at ddibenion y rheoliad hwnnw,

fel person sy'n meddu ar gymhwyster a gymeradwyir at ddibenion 11.

### **Y cymwysterau presennol ar gyfer addysgu disgyblion a nam ar eu golwg**

2. Ymdrinnir ag unrhyw berson a oedd yn union cyn 1 Medi yn meddu ar y canlynol —

- (a) cymhwyster a gymeradwyir at ddibenion rheoliad 15 o Reoliadau 1993; neu
- (b) cymhwyster a gymeradwyir at ddibenion rheoliad 16 o Reoliadau 1989; neu
- (c) cymhwyster a grybwyllir yn rheoliad 16(1) o Reoliadau 1982; neu
- (d) cymhwyster a gymeradwyir at ddiben y rheoliad hwnnw fel cymhwyster y gellir ei gymharu ag un a grybwyllir felly; neu
- (e) cymhwyster ar gyfer addysgu disgyblion dall a oedd, yn union cyn 8 Ebrill 1982, yn bodloni gofynion yr Ysgrifennydd Gwladol o dan reoliad 15(2) o Reoliadau Disgyblion o Dan Anfantaais ac Ysgolion Arbennig 1959(a),

fel person sy'n meddu ar gymhwyster a gymeradwyir at ddibenion rheoliad 12.

### **Parhau i gyflogi athrawon presennol disgyblion y mae ganddynt nam ar eu clyw neu eu golwg neu'r ddau**

3. Caiff person sydd wedi bodloni gofynion rheoliad 18 o Reoliadau 1982 ar gyfer cyflogaeth mewn ysgol arbennig fel athro dosbarth o ddisgyblion a oedd yn fyddar neu'n rhannol fyddar ac yn ddall gael ei gyflogi mewn ysgol fel athro dosbarth o ddisgyblion y mae ganddynt nam ar eu clyw a'u golwg, er nad yw'n athro cymwysedig at ddibenion rheoliad 13(1).

### **Cyfnod cyflogi myfyrwyr-athrawon**

4. Bydd i gymeradwyaeth at ddibenion paragraff 2(2)(a) o Atodlen 3 i Reoliadau 1989 am gyfnod sy'n fwy na dwy flynedd ac y gall person gael ei gyflogi fel myfyriwr-athro ynddo effaith fel petai wedi'i rhoi at ddibenion 2(2)(a) o Atodlen 2.

### **Achredu sefydliadau sy'n darparu hyfforddiant cychwynnol athrawon**

5. Bydd i unrhyw achrediad at ddibenion paragraff 3 o Atodlen 3 i Reoliadau 1993 sydd mewn grym yn union cyn 1 Medi 1999 effaith fel petai wedi'i roi at ddibenion paragraff 2 o Atodlen 3.

- (e) a qualification mentioned in regulation 20(3) of the 1959 Regulations; or
- (f) an equivalent qualification approved for the purposes of that regulation,

shall be treated as possessing a qualification approved for the purpose of regulation 11.

### **Existing qualifications for teaching visually impaired pupils**

2. Any person who immediately before 1st September 1999 possessed —

- (a) a qualification approved for the purpose of regulation 15 of the 1993 Regulations; or
- (b) a qualification approved for the purpose of regulation 16 of the 1989 Regulations; or
- (c) a qualification mentioned in regulation 16(1) of the 1982 Regulations; or
- (d) a qualification approved for the purpose of that regulation as comparable to a qualification so mentioned; or
- (e) a qualification for teaching blind pupils which, immediately before 8th April 1982, satisfied the requirements of the Secretary of State under regulation 15(2) of the Handicapped Pupils and Special Schools Regulations 1959(a),

shall be treated as possessing a qualification approved for the purpose of regulation 12.

### **Continued employment of existing teachers of pupils who are hearing or visually impaired or both**

3. A person who has satisfied the requirements of regulation 18 of the 1982 Regulations for employment at a special school as the teacher of a class of pupils who were both deaf or partially hearing and blind may, notwithstanding that he is not a qualified teacher for the purpose of regulation 13(1), be employed at a school as a teacher of a class of pupils who are both hearing and visually impaired.

### **Period of employment of student teachers**

4. An approval for the purposes of paragraph 2(2)(a) of Schedule 3 to the 1989 Regulations of a period exceeding two years during which a person may be employed as a student teacher shall have effect as if given for the purposes of paragraph 2(2)(a) of Schedule 2.

### **Accreditation of institutions providing initial teacher training**

5. Any accreditation for the purposes of paragraph 3 of Schedule 3 to the 1993 Regulations in force immediately before 1st September 1999 shall have effect as if given for the purposes of paragraph 2 of Schedule 3.

(a) O.S.1959/365; O.S. 1968/1281 a 1971/342 yw'r offerynnau diwygio perthnasol.

(a) S.I. 1959/365; the relevant amending instruments are S.I. 1968/1281 and 1971/342.

## Penderfyniadau prawf gan y Cynulliad

6.—(1) Yn achos person, a oedd ar 1 Medi 1992 wedi cychwyn ond heb gwblhau cyfnod prawf o dan reoliad 14 o Reoliadau 1989, ac Atodlen 6 iddynt, bydd rheoliad 14 ac Atodlen 6 yn parhau i gael effaith tan y cydymffurfir â'u holl ddarpariaethau.

(2) Ni chaiff athro —

- (a) y dyfarnwyd ei fod yn anaddas i gael ei gyflogi ymhellach fel athro cymwysedig yn unol â pharagraff 2(c) o Atodlen 2 i Reoliadau 1959; neu
- (b) a gafodd rybudd ysgrifenedig o dan baragraff 5(2) o Atodlen 6 i Reoliadau 1982,

ei gyflogi fel athro mewn ysgol heb ganiatâd y Cynulliad.

## Athrawon trwyddedig, athrawon sydd wedi'u hyfforddi dramor ac athrawon cofrestredig

7. Bydd Rheoliadau 1993 yn parhau i fod yn gymwys fel petai Rheoliadau Addysg (Athrawon) (Diwygio) (Rhif 2) 1997(a) a'r Rheoliadau hyn heb gael eu gwneud at ddibenion —

- (a) caniatáu cyflogi fel athro mewn ysgol athro anghymwysedig a oedd yn athro trwyddedig neu'n athro a hyfforddwyd dros y môr fel y'u diffiniwyd ynddynt ar 30 Tachwedd 1997, a bydd y dyletswyddau a osodwyd ar y personau mewn cysylltiad â hynny yn parhau i fod yn gymwys; a
- (b) penderfynu a oedd person, a oedd ar 30 Tachwedd 1997 neu unrhyw bryd cyn hynny yn athro trwyddedig, athro a hyfforddwyd dros y môr neu'n athro cofrestredig fel y'u diffiniwyd ynddynt, yn athro cymwysedig.

8. Lle cyflawnwyd swyddogaeth a roddwyd gan y Rheoliadau hyn i'r Cynulliad cyn 1 Gorffennaf 1999 gan yr Ysgrifennydd Gwladol yn unol â Rheoliadau 1982, bydd Rheoliadau 1989 neu Reoliadau 1993, bydd unrhyw gyfeiriad yn y Rheoliadau hyn at gyflawni'r swyddogaeth honno gan y Cynulliad yn cynnwys, ynglŷn ag unrhyw amser cyn 1 Gorffennaf 1999, yn cynnwys cyfeiriad at ei gyflawni gan yr Ysgrifennydd Gwladol.

## Probation decisions by the Assembly

6.—(1) In the case of a person who, on 1st September 1992, had commenced but not completed a period of probation under regulation 14 of, and Schedule 6 to, the 1989 Regulations, regulation 14 and Schedule 6 shall continue to have effect until all their provisions have been complied with.

(2) A teacher who —

- (a) has been determined to be unsuitable for further employment as a qualified teacher pursuant to paragraph 2(c) of Schedule 2 to the 1959 Regulations; or
- (b) who received written notice under paragraph 5(2) of Schedule 6 to the 1982 Regulations,

shall not be employed as a teacher in a school without the consent of the Assembly.

## Licensed, overseas trained and registered teachers

7. The 1993 Regulations shall continue to apply as if the Education (Teachers) (Amendment) (No. 2) Regulations 1997(a) and these Regulations had not been made for the purposes of —

- (a) permitting the employment as a teacher at a school of an unqualified teacher who was a licensed teacher or an overseas trained teacher as therein defined on 30th November 1997, and duties imposed on persons in connection therewith shall continue to apply; and
- (b) determining whether a person, who on or at any time before 30th November 1997 was a licensed teacher, overseas trained teacher or registered teacher as therein defined, is a qualified teacher.

8. Where a function conferred by these Regulations on the Assembly was, before 1st July 1999, carried out by the Secretary of State pursuant to the 1982 Regulations, the 1989 Regulations or the 1993 Regulations, any reference in these Regulations to the performance of that function by the Assembly shall, in relation to any time before 1st July 1999, include a reference to its performance by the Secretary of State.

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(a) O.S. 1997/2679.

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(a) S.I. 1997/2679.

## ATODLEN 2

ACHOSION AC AMGYLCHIADAU LLE  
GELLIR CYFLOGI ATHRAWON  
ANGHYMWYSEDIG MEWN YSGOLION

**RHAN 1**  
**CYFFREDINOL**

**Yr athrawon anghymwysedig presennol mewn dosbarthiadau meithrin ac mewn ysgolion meithrin**

1.—(1) Bydd y paragraff hwn yn gymwys yn achos athro anghymwysedig y caniatwyd ei gyflogi fel athro cynorthwyol mewn ysgol feithrin neu fel athro dosbarth meithrin gan baragraff 4 o Atodlen 4 i Reoliadau 1982 ac a oedd yn cael ei gyflogi felly yn union cyn 1 Medi 1989.

(2) Caiff athro o'r fath barhau i gael ei gyflogi fel y'i cyflogwyd yn union cyn 1 Medi 1989.

**Myfyrwyr-athrawon**

2.—(1) Bydd y paragraff hwn yn gymwys yn achos athro anghymwysedig dros 18 oed sydd naill ai —

- (a) ar ôl cael ei dderbyn ar gwrs hyfforddiant cychwynnol i athrawon mewn ysgolion mewn sefydliad achrededig yng Nghymru neu Loegr, yn disgwyl cael lle ar y cwrs hwnnw; neu
- (b) ar ôl cael ei dderbyn ar y cyfryw gwrs, wedi methu ei gwblhau'n foddhaol erbyn y dyddiad ar ddiwedd y cyfnod sy'n ofynnol fel arfer ar ei gyfer, ond yn ystod y flwyddyn sy'n dilyn y dyddiad hwnnw, yn parhau â'r cwrs gyda golwg ar ei gwblhau o fewn y flwyddyn honno.

(2) Gellir cyflogi athro o'r fath fel athro mewn ysgol (heblaw mewn uned cyfeirio disgyblion) fel na fydd, er hynny —

- (a) y cyfnod agrededig y cafodd ei gyflogi amdano yn rhinwedd y paragraff hwn, paragraff 2(2) o Atodlen 2 i Reoliadau 1993 neu baragraff 2(2) o Atodlen 3 i Reoliadau 1989, gan un neu fwy o awdurdodau neu gyrff, yn hwy na dwy flynedd neu'r cyfnod hwy, os o gwbl, a gymeradwyir yn ei achos gan y Cynulliad; a
- (b) yn ofynnol iddo gymryd cyfrifoldeb am ddsbarth nac addysgu pwnc nas dysgir hefyd gan athro cymwysedig yn yr ysgol.

## SCHEDULE 2

CASES AND CIRCUMSTANCES  
IN WHICH UNQUALIFIED TEACHERS  
MAY BE EMPLOYED AT SCHOOLS

**PART 1**  
**GENERAL**

**Existing unqualified teachers in nursery classes and at nursery schools**

1.—(1) This paragraph shall apply in the case of an unqualified teacher whose employment as an assistant teacher at a nursery school or as a teacher of a nursery class was permitted by paragraph 4 of Schedule 4 to the 1982 Regulations and who was so employed immediately before 1st September 1989.

(2) Such a teacher may continue to be employed as he was employed immediately before 1st September 1989.

**Student teachers**

2.—(1) This paragraph shall apply in the case of an unqualified teacher over the age of 18 years who either —

- (a) having been accepted for admission to a course of initial training for teachers in schools at an accredited institution in England or Wales, is awaiting admission to that course; or
- (b) having been admitted to such a course, has failed satisfactorily to complete it by the date of the end of the period ordinarily required therefor but, during the year next following that date, is continuing the course with a view to so completing it within that year.

(2) Such a teacher may be employed as a teacher at a school (other than a pupil referral unit) so, however, that —

- (a) the aggregate period for which he has been employed by virtue of this paragraph, paragraph 2(2) of Schedule 2 to the 1993 Regulations or paragraph 2(2) of Schedule 3 to the 1989 Regulations, by one or more authorities or bodies, does not exceed 2 years or such longer period, if any, as is approved in his case by the Assembly; and
- (b) he is required neither to take responsibility for a class nor to teach a subject which is not also taught by a qualified teacher at the school.

### **Hyfforddwyr gyda chymwysterau neu brofiad arbennig**

3.—(1) Bydd y paragraff hwn yn gymwys yn achos athro anghymwysedig a benodwyd neu y bwriedir ei benodi, i roi hyfforddiant mewn unrhyw grefft neu fedr neu mewn unrhyw bwnc neu grŵp o bynciau (gan gynnwys unrhyw ffurf ar hyfforddiant galwedigaethol) y mae eu haddysgu yn gofyn am gymwysterau neu brofiad arbennig os, ar adeg ei benodiad —

- (a) mae'r awdurdod addysg lleol (yn achos ysgol sydd heb gyllideb ddirprwyedig neu uned gyfeirio disgyblion), mae'r corff llywodraethu wrth weithredu gyda chytundeb yr awdurdod addysg lleol (yn achos ysgol a gynhelir gan awdurdod addysg lleol sydd â chyllideb ddirprwyedig) neu'r corff llywodraethu (yn achos ysgol arbennig nas cynhelir gan awdurdod addysg lleol) wedi'i fodloni ynglŷn â'i gymwysterau neu fel bo'r achos, ei brofiad; a
- (b) nad oes unrhyw athro cymwysedig addas, athro graddedig neu athro cofrestredig ar gael i'w benodi neu i roi'r hyfforddiant.

(2) Gellir cyflogi'r cyfryw athro mewn ysgol i roi'r hyfforddiant fel uchod, yn ddarostyngedig i baragraff (3), am y cyfnod nad oes athro cymwysedig, athro graddedig neu athro cofrestredig addas ar gael i'w benodi neu i roi hyfforddiant.

(3) Yn achos athro o'r fath a benodwyd cyn 8 Ebrill 1982, bydd i baragraff (2) effaith fel petai'r geiriau "yn ddarostyngedig i baragraff (3)" tan y diwedd wedi'u hegor —

- (a) os oedd ei benodiad am gyfnod penodedig, os ac ar yr amod nad yw'r cyfnod hwnnw wedi dirwyn i ben; neu
- (b) os oedd ei benodiad am gyfnod amhenodedig, oni fynegydd yn wahanol i hynny mai dros dro yn unig ydoedd.

### **Athrawon dros dro**

4.—(1) Yn ddarostyngedig i is-baragraff (2) isod, gellir cyflogi athro anghymwysedig mewn ysgol (heblaw mewn uned gyfeirio disgyblion) —

- (a) os mae wedi cwblhau'n llwyddiannus raglen o hyfforddiant proffesiynol i athrawon mewn unrhyw wlad y tu allan i'r Deyrnas Unedig ac a gydnabyddir fel rhaglen hyfforddiant o'r fath gan yr awdurdod cymwys yn y wlad honno; a
- (b) os caiff ei gyflogi mewn unrhyw swydd unigol mewn ysgol (naill ai drwy absenoldeb deiliad y swydd honno neu fel arall) am gyfnodau nad ydynt yn hwy na chyfanswm o bedwar mis.

(2) Ni fydd y paragraff hwn yn gymwys yn achos athro anghymwysedig ar ôl i gyfnod o ddwy flynedd yn dechrau ar y diwrnod y caiff ei gyflogi gyntaf fel athro mewn ysgol ddirwyn i ben.

### **Instructors with special qualifications or experience**

3.—(1) This paragraph shall apply in the case of an unqualified teacher appointed, or proposed to be appointed, to give instruction in any art or skill or in any subject or group of subjects (including any form of vocational training) the teaching of which requires special qualifications or experience if, at the time of his appointment —

- (a) the local education authority (in the case of a school which has no delegated budget or a pupil referral unit), the governing body acting with the consent of the local education authority (in the case of a school maintained by a local education authority which has a delegated budget) or the governing body (in the case of a special school not maintained by a local education authority) are satisfied as to his qualifications or, as the case may be, experience; and
- (b) no suitable qualified teacher, graduate teacher or registered teacher is available for appointment or to give the instruction.

(2) Such a teacher may be employed at a school to give such instruction as aforesaid, subject to paragraph (3), for such period as no suitable qualified teacher, graduate teacher or registered teacher is available for appointment or to give the instruction.

(3) In the case of such a teacher appointed before 8th April 1982, paragraph (2) shall have effect as if the words "subject to paragraph (3)" to the end were omitted —

- (a) where his appointment was for a specified period, if and so long as that period has not expired; or
- (b) where his appointment was for an unspecified period, if it was not otherwise expressed to be temporary only.

### **Temporary teachers**

4.—(1) Subject to sub-paragraph (2) below, an unqualified teacher may be employed at a school (other than a pupil referral unit) if —

- (a) he has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country; and
- (b) he is employed in any one post at a school (whether by reason of the absence of the holder of that post or otherwise) for periods which do not exceed four months in total.

(2) This paragraph shall not apply in the case of an unqualified teacher after the expiry of a period of two years commencing with the day on which he is first employed as a teacher at a school.

## RHAN II ATHRAWON GRADDEDIG

5.—(1) Bydd y paragraff hwn yn gymwys i berson nad yw'n athro cymwysedig ond a gafodd awdurdodiad i addysgu yn unol â'r Rhan hon o'r Atodlen hon.

(2) Yn ddarostyngedig i ddarpariaethau'r Rhan hon o'r Atodlen hon, gellir cyflogi'r fath berson fel athro mewn ysgol, ac eithrio uned cyfeirio disgyblion.

6.—(1) Yn dilyn argymhelliad y corff, gall y Cynulliad rhoi awdurdodiad addysgu i'r person a enwir yn yr argymhelliad hwnnw.

(2) Bydd argymhelliad i awdurdodi yn cynnwys y manylion a benderfynnir gan y Cynulliad a bydd hefyd yn cynnwys y manylion a nodir yn is-baragraffau (3) i (6).

(3) Bydd yn cynnwys datganiad gan y corff argymhell fod y person a enwir yn yr argymhelliad —

- (a) yn ei farn ef yn berson addas i fod yn athro mewn ysgol;
- (b) yn dal gradd gyntaf neu gymhwyster cyfatebol a roddir gan sefydliad addysgol yng Nghymru neu Loegr, neu gymhwyster o safon sy'n cyfateb i hynny a roddir gan sefydliad addysgol yn rhywle arall;
- (c) wedi cyrraedd y safon sy'n ofynnol mewn Saesneg a mathemateg i gael gradd C yn y Dystysgrif Gyffredinol Addysg Uwchradd;
- (d) os ganwyd y person ar neu ar ôl 1 Rhagfyr 1979 ac yn ystod cyfnod ei awdurdodiad y bwriedir iddo addysgu disgyblion o dan 11 oed, wedi cyrraedd mewn pwnc gwyddonol unigol neu mewn pwnc gwyddonol cyfun y safon sy'n ofynnol i gael gradd C yn y Dystysgrif Gyffredinol Addysg Uwchradd; a
- (e) (i) y bydd wedi cyrraedd 24 oed erbyn y dyddiad y bwriedir iddo ddechrau gweithio fel athro graddedig, neu  
(ii) y bydd wedi cwblhau'n llwyddiannus raglen o hyfforddiant proffesiynol i athrawon mewn unrhyw wlad y tu allan i'r Deyrnas Unedig ac a gydnabyddir fel rhaglen hyfforddiant o'r fath gan yr awdurdod cymwys yn y wlad honno.

(4) Bydd yn cynnwys manylion am yr hyfforddiant y bwriedir ei roi i'r person a enwir yn yr argymhelliad ac am hyd cyfnod arfaethedig yr hyfforddiant.

(5) Bydd yn cynnwys manylion am yr ysgol neu'r ysgolion lle bwriedir neu lle gellir cyflogi'r person a enwir yn y cais (ac y mae'n bosibl na fydd, yn unol â pharagraff 5(2), yn cynnwys uned cyfeirio disgyblion).

(6) Bydd yn cynnwys enw'r sefydliad neu'r corff a fydd yn gyflogwr i'r person.

## PART II GRADUATE TEACHERS

5.—(1) This paragraph shall apply to a person who is not a qualified teacher but who has been granted an authorisation to teach in accordance with this Part of this Schedule.

(2) Subject to the provisions of this Part of this Schedule, such a person may be employed as a teacher at a school, except a pupil referral unit.

6.—(1) On the recommendation of the recommending body, the Assembly may grant an authorisation to teach to the person named in that recommendation.

(2) A recommendation for an authorisation shall contain such particulars as the Assembly may determine and shall also contain the particulars set out in sub-paragraphs (3) to (6).

(3) It shall contain a statement by the recommending body that the person named in the recommendation —

- (a) is in its opinion a suitable person to be a teacher at a school;
- (b) holds a first degree or equivalent qualification granted by an educational institution in England or Wales, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere;
- (c) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (d) where the person was born on or after 1st December 1979 and during his period of authorisation it is intended that he will teach pupils aged below 11 years, has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (e) (i) will have attained the age of 24 years by the date on which it is proposed he shall take up employment as a graduate teacher, or  
(ii) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country.

(4) It shall contain particulars of the training that is proposed to be given to the person named in the recommendation and of the length of the proposed period of training.

(5) It shall contain particulars of the school or schools at which the person named in the application is to be or may be employed (which may not, in accordance with paragraph 5(2), include a pupil referral unit).

(6) It shall contain the name of the institution or body who will be the person's employer.

7. Bydd hyd cyfnod arfaethedig yr hyfforddiant yn briodol i angen y person am brofiad a hyfforddiant o addysgu ymarferol, ac yn achos argymhelliad cyntaf lle bydd y person yn cael ei gyflogi'n llawn amser, ni fydd yn llai na thri mis nac yn fwy nag un flwyddyn.

8. Os yw'r corff argymell wedi cyflwyno argymhelliad i'r Cynulliad, gellir cyflogi'r person a enwir yn yr argymhelliad hwnnw dros dro fel athro graddedig yn yr ysgol neu'r ysgolion a bennir yn yr argymhelliad tan 14 diwrnod ar ôl i'r Cynulliad roi gwybod i'r corff argymell am ei benderfyniad i roi'r awdurdodiad neu beidio.

9.—(1) Yn ddarostyngedig i is-baragraff (2), bydd awdurdodiad yn parhau mewn grym am gyfnod yr hyfforddiant a gynigir yn yr argymhelliad.

(2) Bydd awdurdodiad yn dod i ben yn unrhyw un o'r amgylchiadau canlynol —

- (a) os bydd athro graddedig yn peidio â chael ei gyflogi yn yr ysgol a bennwyd yn yr argymhelliad am awdurdodiad neu, os oedd yr argymhelliad yn pennu mwy nag un ysgol, os yw'n peidio â chael ei gyflogi yn unrhyw un o'r ysgolion a bennir felly oni bai bod y naill beth neu'r llall yn digwydd oherwydd newid statws yr ysgol neu'r ysgolion (fel y bo'r achos) i fath gwahanol o ysgol neu ysgolion;
- (b) os yw'r athro graddedig yn peidio â chael ei gyflogi gan y sefydliad neu'r corff a enwir yn yr argymhelliad ac eithrio —
  - (i) pan fydd hynny'n digwydd oherwydd newid statws yr ysgol lle mae'n cael ei gyflogi i fath gwahanol o ysgol, neu
  - (ii) pan fydd y cyflogwr a enwir yn yr argymhelliad yn awdurdod addysg lleol ac yn union ar ôl peidio â chael ei gyflogi gan yr awdurdod hwnnw mae'n cael ei gyflogi gan awdurdod addysg arall.

10. Bydd y corff argymell yn peri i'r athro graddedig gael yn ystod cyfnod yr awdurdodiad yr hyfforddiant, y rhoddwyd y manylion amdano yn unol â pharagraff 6(4).

11. Pan fydd awdurdodiad yn dirwyn i ben yn rhinwedd paragraff 9(2) bydd y corff argymell yn adrodd ffeithiau'r achos i'r Cynulliad.

### **RHAN III ATHRAWON COFRESTREDIG**

12.—(1) Bydd y paragraff hwn yn gymwys i berson nad yw'n athro cymwysedig ond sydd wedi cael awdurdodiad i addysgu yn unol â'r Rhan hon o'r Atodlen hon.

(2) Yn ddarostyngedig i ddarpariaethau'r Rhan hon

7. The length of the proposed period of training shall be appropriate to the person's need for practical teaching experience and training and, in the case of a first recommendation where the person will be employed full-time, it shall be not less than three months and not more than one year.

8. Where the recommending body have submitted a recommendation to the Assembly, the person named in that recommendation may be provisionally employed as a graduate teacher at the school or schools specified in the recommendation until 14 days after the Assembly have notified the recommending body of their decision whether or not to grant the authorisation.

9.—(1) Subject to sub-paragraph (2), an authorisation shall remain in force for the period of training proposed in the recommendation.

(2) An authorisation shall lapse in any of the following circumstances —

- (a) if the graduate teacher ceases to be employed at the school specified in the recommendation for an authorisation or, where the recommendation specified more than one school, if he ceases to be employed at any of the schools so specified unless the occurrence of either event is because of a change of status of the school or schools (as the case may be) to another type of school or schools;
- (b) if the graduate teacher ceases to be employed by the institution or body named in the recommendation except —
  - (i) where that arises because of the change of status of a school at which he is employed to another type of school, or
  - (ii) where the employer named in the recommendation was a local education authority and immediately on ceasing to be employed by that authority he is employed by another local education authority.

10. The recommending body shall cause the graduate teacher to receive during the period of the authorisation the training, particulars of which were given in pursuance of paragraph 6(4).

11. Where an authorisation lapses by virtue of paragraph 9(2) the recommending body shall report the facts of the case to the Assembly.

### **PART III REGISTERED TEACHERS**

12.—(1) This paragraph shall apply to a person who is not a qualified teacher but who has been granted an authorisation to teach in accordance with this Part of this Schedule.

(2) Subject to the provisions of this Part of this



o'r Atodlen hon, gellir cyflogi'r fath berson fel athro mewn ysgol, ac eithrio mewn uned cyfeirio disgyblion.

**13.**—(1) Yn unol ag argymhelliad y corff argymhell gall y Cynulliad roi awdurdodiad addysgu i'r person a enwir yn yr argymhelliad hwnnw.

(2) Bydd argymhelliad i awdurdodi yn cynnwys y manylion hynny y bydd y Cynulliad yn penderfynu arnynt a bydd hefyd yn cynnwys y manylion a nodir yn is-baragraffau (3) i (6).

(3) Bydd yn cynnwys datganiad gan y corff argymhell fod y person a enwir yn yr argymhelliad —

- (a) yn ei farn ef yn berson addas i fod yn athro mewn ysgol;
- (b) (i) wedi cwblhau'n llwyddiannus raglen o hyfforddiant proffesiynol ar gyfer athrawon mewn unrhyw wlad y tu allan i'r Deyrnas Unedig ac sy'n cael ei gydnabod fel rhaglen hyfforddiant o'r fath gan yr awdurdod cymwys yn y wlad honno, neu
- (ii) y bydd wedi cyrraedd 24 oed erbyn y dyddiad pan gynigir iddo gychwyn ei waith fel athro cofrestredig a'i fod wedi cwblhau'n llwyddiannus —
  - (aa) dim llai na dwy flynedd o addysg uwch yng Nghymru neu Loegr, neu
  - (bb) addysg gymradwy naill ai'n llawn-amser neu'n rhan-amser boed yng Nghymru neu Loegr neu yn rhywle arall;
- (c) wedi cyrraedd y safon ofynnol mewn Saesneg a mathemateg i gael gradd C yn y Dystysgrif Gyffredinol Addysg Uwchradd;
- (d) os ganwyd y person cyn neu ar ôl 1 Rhagfyr 1979 ac yn ystod y cyfnod ei awdurdodiad, y bwriedir iddo addysgu disgyblion o dan 11 oed, wedi llwyddo i gyrraedd mewn pwnc gwyddonol unigol neu mewn pwnc gwyddonol cyfun y safon a ofynnir i gael gradd C yn y Dystysgrif Gyffredinol Addysg Uwchradd; ac
- (e) wedi'i dderbyn ar raglen astudio sy'n arwain at ddyfarniad o radd gyntaf neu gymhwyster cyfatebol.

(4) Bydd yn cynnwys manylion o'r hyfforddiant y bwriedir ei roi i'r person a enwir yn yr argymhelliad a hyd cyfnod yr hyfforddiant arfaethedig.

(5) Bydd yn cynnwys manylion am yr ysgol neu'r ysgolion lle bwriedir neu lle gellir cyflogi'r person a enwir yn y cais (ac na fydd, yn unol â pharagraff 12(2), yn cynnwys uned cyfeirio disgyblion).

(6) Bydd yn cynnwys enw'r sefydliad neu'r corff a fydd yn gyflogwr i'r person.

**14.** Bydd hyd cyfnod arfaethedig yr hyfforddiant yn briodol i angen y person am brofiad a hyfforddiant o

Schedule, such a person may be employed as a teacher at a school, except a pupil referral unit.

**13.**—(1) On the recommendation of the recommending body the Assembly may grant an authorisation to teach to the person named in that recommendation.

(2) A recommendation for an authorisation shall contain such particulars as the Assembly may determine and shall also contain the particulars set out in sub-paragraphs (3) to (6).

(3) It shall contain a statement by the recommending body that the person named in the recommendation —

- (a) is in its opinion a suitable person to be a teacher at a school;
- (b) (i) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country, or
- (ii) will have attained the age of 24 years by the date on which it is proposed he shall take up employment as a registered teacher and has successfully completed —
  - (aa) not less than two years' full-time higher education in England or Wales, or
  - (bb) comparable education either full-time or part-time whether in England or Wales or elsewhere;
- (c) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (d) where the person was born on or after 1st December 1979 and during his period of authorisation it is intended that he will teach pupils aged below 11 years, has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (e) has been accepted onto a programme of study leading to the award of a first degree or equivalent qualification.

(4) It shall contain particulars of the training that is proposed to be given to the person named in the recommendation and the length of the proposed period of training.

(5) It shall contain particulars of the school or schools at which the person named in the application is to be or may be employed (which may not, in accordance with paragraph 12(2), include a pupil referral unit).

(6) It shall contain the name of the institution or body who will be the person's employer.

**14.** The length of the proposed period of training shall be appropriate to the person's need for practical

addysgu ymarferol a hyfforddiant, ac yn achos argymhelliad cyntaf lle bydd y person yn cael ei gyflogi'n amser llawn, ni fydd yn llai na un flwyddyn nac yn fwy na ddwy flynedd.

**15.** Lle mae'r corff argymell wedi cyflwyno argymhelliad i'r Cynulliad, gellir cyflogi'r person a enwir yn yr argymhelliad hwnnw dros dro fel athro cofrestredig yn yr ysgol neu'r ysgolion a bennir yn yr argymhelliad tan 14 diwrnod ar ôl i'r Cynulliad roi gwybod i'r corff argymell ei benderfyniad i roi'r awdurdodiad neu beidio.

**16.—(1)** Yn ddarostyngedig i is-baragraff (2), bydd awdurdodiad yn parhau mewn grym am gyfnod yr hyfforddiant a gynigir yn yr argymhelliad.

(2) Bydd awdurdodiad yn dod i ben yn unrhyw un o'r amgylchiadau canlynol —

- (a) os bydd athro cofrestredig yn peidio â chael ei gyflogi yn yr ysgol a bennwyd yn yr argymhelliad am awdurdodiad neu, lle'r oedd yr argymhelliad yn pennu mwy nag un ysgol, os yw'n peidio â chael ei gyflogi yn unrhyw un o'r ysgolion a bennir felly oni bai bod y naill beth neu'r llall yn digwydd oherwydd newid statws yr ysgol neu'r ysgolion (fel y bo'r achos) i fath gwahanol o ysgol neu ysgolion; neu
- (b) os yw'r athro graddedig yn peidio a chael ei gyflogi gan y sefydliad neu'r corff a enwir yn yr argymhelliad gan eithrio —
  - (i) pan fydd hynny'n digwydd oherwydd newid statws yr ysgol lle'i cyflogir i fath gwahanol o ysgol, neu
  - (ii) pan fydd y cyflogwr a enwir yn yr argymhelliad yn awdurdod addysg lleol ac yn union ar ôl peidio â chael ei gyflogi gan yr awdurdod hwnnw mae'n cael ei gyflogi gan awdurdod addysg arall.

**17.** Bydd y corff argymell yn peri i'r athro cofrestredig gael yn ystod cyfnod yr awdurdodiad yr hyfforddiant, y rhoddwyd y manylion amdano yn unol â pharagraff 13(4).

**18.** Lle mae'r awdurdodiad yn dirwyn i ben yn rhinwedd paragraff 16(2) bydd y corff argymell yn adrodd ffeithiau'r achos i'r Cynulliad.

teaching experience and training and, in the case of a first recommendation where the person will be employed full-time, it shall be not less than one year and not more than two years.

**15.** Where the recommending body have submitted a recommendation to the Assembly, the person named in that recommendation may be provisionally employed as a registered teacher at the school or schools specified in the recommendation until 14 days after the Assembly have notified the recommending body of their decision whether or not to grant the authorisation.

**16.—(1)** Subject to sub-paragraph (2), an authorisation shall remain in force for the period of training proposed in the recommendation.

(2) An authorisation shall lapse in any of the following circumstances —

- (a) if the registered teacher ceases to be employed at the school specified in the recommendation for an authorisation or, where the recommendation specified more than one school, if he ceases to be employed at any of the schools so specified unless the occurrence of either event is because of a change of status of the school or schools (as the case may be) to another type of school or schools; or
- (b) if the registered teacher ceases to be employed by the institution or body named in the recommendation except —
  - (i) where that arises because of the change of status of a school at which he is employed to another type of school, or
  - (ii) where the employer named in the recommendation was a local education authority and immediately on ceasing to be employed by that authority he is employed by another local education authority.

**17.** The recommending body shall cause the registered teacher to receive during the period of the authorisation the training, particulars of which were given in pursuance of paragraph 13(4).

**18.** Where an authorisation lapses by virtue of paragraph 16(2) the recommending body shall report the facts of the case to the Assembly.

## ATODLEN 3

ATHRAWON CYMWYSEDIG A  
DARPARIAETHAU TROSIANNOL YN  
YMWNEUD AG ATHRAWON  
CYMWYSEDIG

1.—(1) Bydd person yn athro cymwysedig i ddiben rheoliad 10 (ond yn ddarostyngedig i reoliadau 11 i 13)

- (a) os oedd yn gymwysedig i gael ei gyflogi fel athro yn union cyn 1 Medi 1999 yn rhinwedd Atodlen 3 i Reoliadau 1993(a); neu
- (b) os yw wedi cael hysbysiad ysgrifenedig gan y Cynulliad ei fod yn athro cymwysedig, gan fod y Cynulliad wedi'i fodloni ar 1 Medi 1999 neu wedyn ei fod yn berson a grybwyllir ym mharagraffau 2 i 9 ac, os yw'n berson a grybwyllir ym mharagraff 7 neu 8, fod y datganiad a gyflwynwyd gan y corff argymhell neu Gyngor Addysg Taleithiau Guernsey (fel y bo'r achos) yn gywir; neu
- (c) os yw'n athro cymwysedig o dan reoliadau sydd o bryd i'w gilydd mewn grym o dan adran 218(2) o Ddeddf Diwygio Addysg ynglŷn â Lloegr,

ac yn achos person sy'n cael hysbysiad ysgrifenedig o dan baragraff (b) bydd y person, yn ddarostyngedig i is-baragraffau (2) i (4), yn gymwysedig o'r dyddiad y bydd y Cynulliad yn ei ddarparu yn yr hysbysiad.

(2) Yn ddarostyngedig i is-baragraffau (3) a (4), gall y Cynulliad ddarparu i berson a grybwyllir ym mharagraffau 2 i 9 fod yn athro cymwysedig o ddyddiad nad yw'n fwy na blwyddyn cyn yr hysbysiad i'r graddau bod hynny'n briodol gan roi sylw i holl amgylchiadau'r achos.

(3) Yn achos person a grybwyllir ym mharagraff 7 neu 9, ni fydd y Cynulliad yn darparu i'r person fod yn athro cymwysedig o ddyddiad cyn y dyddiad pan fydd yr asesiad y cyfeirir ato ym mharagraff 7 neu 9 (fel y bo'r achos), wedi'i gwblhau.

(4) Yn achos person a grybwyllir ym mharagraff 8, ni fydd y Cynulliad yn darparu i'r person fod yn athro cymwysedig o ddyddiad cyn y dyddiad pan gwblhaodd y cyfnod o wasanaeth fel athro a drwyddedwyd gan Gyngor Addysg Taleithiau Guernsey fel a bennir yn natganiad Cyngor Addysg Taleithiau Guernsey.

2.—(1) Mae'r person —

- (a) yn dal gradd neu gymhwysiad cyfatebol a roddwyd gan sefydliad yn y Deyrnas Unedig neu radd neu gymhwysiad arall cyfatebol a roddwyd gan sefydliad estron; a

## SCHEDULE 3

QUALIFIED TEACHERS  
AND TRANSITIONAL  
PROVISIONS RELATING TO  
QUALIFIED TEACHERS

1.—(1) A person shall be a qualified teacher for the purpose of regulation 10 (but subject to regulations 11 to 13) —

- (a) if he was qualified to be employed as a teacher immediately before 1st September 1999 by virtue of Schedule 3 to the 1993 Regulations(a); or
- (b) if, the Assembly being satisfied on or after 1st September 1999 that he is a person mentioned in paragraphs 2 to 9 and, if he is a person mentioned in paragraph 7 or 8, that the statement submitted by the recommending body or, the States of Guernsey Education Council (as the case may be) is correct, he has received written notification from the Assembly that he is a qualified teacher; or
- (c) if he is a qualified teacher under regulations from time to time in force under section 218(2) of the Education Reform Act 1998 in relation to England,

and in the case of a person receiving written notification under paragraph (b) the person shall, subject to sub-paragraphs (2) to (4), be qualified from such date as the Assembly may provide in the notification.

(2) Subject to sub-paragraphs (3) and (4), the Assembly may provide for a person mentioned in paragraphs 2 to 9 to be a qualified teacher from a date not more than one year prior to the date of notification to the extent that that is appropriate having regard to all the circumstances of the case.

(3) In the case of a person mentioned in paragraph 7 or 9, the Assembly shall not provide for the person to be a qualified teacher from a date prior to the date on which the assessment referred to in paragraph 7 or 9 (as the case may be) is completed.

(4) In the case of a person mentioned in paragraph 8, the Assembly shall not provide for the person to be a qualified teacher from a date prior to the date on which he completed the period of service as a teacher licensed by the States of Guernsey Education Council as specified in the statement of the States of Guernsey Education Council.

2.—(1) The person —

- (a) holds a degree or equivalent qualification granted by a United Kingdom institution or an equivalent degree or other qualification granted by a foreign institution; and

(a) O.S. 1993/543; amnewidiwyd Atodlen 3 newydd gan O.S.1997/2679.

(a) S.I. 1993/543; a new Schedule 3 was substituted by S.I. 1997/2679.

- (b) wedi cwblhau cwrs o hyfforddiant cychwynnol i athrawon mewn ysgolion mewn sefydliad achrededig yng Nghymru.

(2) At ddibenion y paragraff hwn —

- (a) ystyr “sefydliad yn y Deyrnas Unedig” yw sefydliad a gafodd ei sefydlu yn y Deyrnas Unedig, heblaw un sy’n sefydliad, neu sy’n gysylltiedig â sefydliad, neu sy’n ffurfio rhan o sefydliad y mae prif leoliad ei weithgareddau y tu allan i’r Deyrnas Unedig, ac sy’n cynnwys y Cyngor Cymwysterau Academaidd Cenedlaethol;
- (b) ystyr “sefydliad estron” yw unrhyw sefydliad heblaw sefydliad yn y Deyrnas Unedig; ac
- (c) ystyr “sefydliad achrededig” yw sefydliad a achredir gan Gyngor Cyllido Addysg Uwch Cymru, fel darparwyd cyrsiau sy’n bodloni’r cyfryw ddarpariaethau ynglŷn â chwricwla a meini prawf eraill y gellir eu pennu o bryd i’w gilydd gan y Cynulliad.

3. Mae’r person wedi cwblhau’n llwyddiannus gwrs o hyfforddiant cychwynnol i athrawon mewn ysgolion mewn sefydliad addysgol yn yr Alban neu Ogledd Iwerddon.

4. Mae’r person wedi’i gofrestru fel athro addysg gynradd neu uwchradd gyda Chyngor Addysgu Cyffredinol yr Alban.

5. Rhoddwyd cadarnhad i’r person ei fod wedi’i gydnabod fel athro mewn ysgolion yng Ngogledd Iwerddon gan yr Adran Addysg, Swyddfa Gogledd Iwerddon, a’r cadarnhad hwnnw heb gael ei ddileu wedyn.

6. Mae’r person yn berson sydd o ran proffesiwn athro ysgol, yn dod o dan Erthygl 3 o Gyfarwydddeb 89/48 EEC y Cyngor(a) ar system gyffredinol i gydnabod diplomâu addysg-uwch a ddyfernir i’r sawl sy’n cwblhau addysg a hyfforddiant proffesiynol sy’n parhau am dair blynedd o leiaf, fel y’i hestynnir gan Gytundeb Ardal Economaidd Ewrop a lofnodwyd yn Oporto ar 2 Mai 1992(b) fel y’i haddaswyd gan y Protocol a lofnodwyd ym Mrwsel ar 17 Mawrth 1993(c).

7.—(1) Pan roddir awdurdodiad i’r person, mae’r corff argymhell wedi cyflwyno i’r Cynulliad —

- (a) argymhelliad y dylid dyfarnu statws athro cymwysedig i’r person; a
- (b) y datganiad a ddisgrifiwyd yn is-baragraff (2)

(2) Mae’r datganiad yn ddatganiad bod y person —

- (a) naill ai wedi —
  - (i) cwblhau gwasanaeth yn llwyddiannus fel athro graddedig neu athro cofrestredig (fel y bo’r achos) am gyfnod yr awdurdodiad

- (b) has successfully completed a course of initial training for teachers in schools at an accredited institution in Wales.

(2) For the purposes of this paragraph —

- (a) a “United Kingdom institution” means an institution established in the United Kingdom, other than one which is, or is affiliated to or forms part of, an institution whose principal establishment is outside the United Kingdom, and includes the Council for National Academic Awards;
- (b) a “foreign” institution means any institution other than a United Kingdom institution; and
- (c) an “accredited institution” means an institution accredited by the Higher Education Funding Council for Wales, as a provider of courses satisfying such provisions as to curricula and other criteria as may from time to time be specified by the Assembly.

3. The person has successfully completed a course of initial training for teachers in schools at an educational institution in Scotland or Northern Ireland.

4. The person is registered as a teacher of primary or secondary education with the General Teaching Council for Scotland.

5. The person has been awarded confirmation of recognition as a teacher in schools in Northern Ireland by the Department of Education, Northern Ireland Office, that confirmation not having been subsequently withdrawn.

6. The person is a person who as respects the profession of school teacher, falls within Article 3 of Council Directive 89/48 EEC(a) on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years’ duration, as extended by the Agreement of the European Economic Area signed at Oporto on 2nd May 1992(b) as adjusted by the Protocol signed at Brussels on 17th March 1993(c).

7.—(1) Where the person has been granted an authorisation, the recommending body has submitted to the Assembly —

- (a) a recommendation that the person should be awarded qualified teacher status; and
- (b) the statement described in sub-paragraph (2).

(2) The statement is a statement that the person —

- (a) has either —
  - (i) successfully completed service as a graduate teacher or a registered teacher (as the case may be) for the period of the authorisation

(a) OJ Rhif L19, 24.1.89, t16.

(b) Gorch 2073.

(c) Gorch 2183.

(a) OJ No L19, 24.1.89, p16.

(b) Cm 2073.

(c) Cm 2183.

ac wedi cwblhau'n llwyddiannus yr hyfforddiant a gynigiwyd yn yr argymhelliad ar gyfer awdurdodiad, neu

- (ii) wedi cwblhau ddim llai na thri mis o wasanaeth fel athro graddedig neu dim llai na blwyddyn o wasanaeth fel athro cofrestredig (fel y bo'r achos) ac wedi gwneud y fath gynnydd yn ystod ei gyfnod o wasanaeth fel athro graddedig neu athro cofrestredig (fel y bo'r achos) nad oedd angen iddo ym marn y corff argymell, yng ngoleuni'r cynnydd hwnnw, gwblhau'r gwasanaeth hwnnw am gyfnod yr awdurdodiad cyn cael ei asesu fel y cyfeirir ato ym mharagraff (b);
- (b) wedi'i asesu gan berson cymwys fel un sy'n bodloni'r safonau penodedig; ac
- (c) yn dal gradd gyntaf neu gymhwyster cyfatebol a roddwyd gan sefydliad yn y Deyrnas Unedig, neu gymhwyster o safon gyfatebol i hynny a roddwyd gan sefydliad addysgol yn rhywle arall.

(3) Yn y paragraff hwn —

- (a) ystyr “person cymwys”, mewn achos lle mae'r corff argymell yn sefydliad achrededig, y sefydliad hwnnw, a'i ystyr mewn unrhyw achos arall yw'r person y mae'r Cynulliad wedi'i gymeradwyo at ddibenion cyflawni'r asesiad y cyfeirir ato yn is-baragraff (2)(b);
- (b) ystyr “safonau penodedig” yw'r safonau, sy'n gymwys adeg yr asesiad, ac a bennir gan y Cynulliad fel y safonau sy'n ofynnol gan berson sy'n ceisio dod yn athro cymwysedig.
- (c) mae i “sefydliad yn y Deyrnas Unedig” yr un ystyr ag ym mharagraff 2(2)(a).

**8.** Mae Cyngor Addysg Taleithiau Guernsey wedi cyflwyno i'r Cynulliad argymhelliad y dylid dyfarnu statws athro cymwysedig i'r person ac —

- (a) datganiad ei fod wedi cwblhau dwy flynedd o wasanaeth amser-llawn neu gyfnod cyfatebol o wasanaeth rhan-amser fel athro wedi'i drwyddedu gan Gyngor Addysg Taleithiau Guernsey a'r hyfforddiant a bennir yn y drwydded;
- (b) datganiad —
  - (i) ei fod wedi cwblhau'n llwyddiannus ddim llai na un flwyddyn o wasanaeth fel athro wedi'i drwyddedu gan Gyngor Addysg Taleithiau Guernsey a'r hyfforddiant a bennir yn y drwydded, a
  - (ii) ei fod cyn dyddiad cychwyn y drwydded wedi cyrraedd 24 oed, a
  - (iii) ei fod cyn dyddiad cychwyn y drwydded nad oedd wedi'i gyflogi am lai na dwy flynedd fel athro neu ddarlithydd mewn ysgol annibynnol (gan gynnwys coleg dinesig), neu sefydliad neu brifysgol yn y

and has successfully completed the training proposed in the recommendation for an authorisation, or

- (ii) completed not less than three months' service as a graduate teacher or not less than one year's service as a registered teacher (as the case may be) and has made such progress during his period of service as a graduate teacher or a registered teacher (as the case may be) that in the view of the recommending body he did not need, in the light of that progress, to complete that service for the period of the authorisation before being assessed as referred to in paragraph (b);
- (b) has been assessed by a competent person as meeting the specified standards; and
- (c) holds a first degree or equivalent qualification granted by a United Kingdom institution, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere.

(3) In this paragraph —

- (a) a “competent person” means, in a case where the recommending body is an accredited institution, that institution, and in any other case means the person approved by the Assembly for the purpose of carrying out the assessment referred to in sub-paragraph (2)(b);
- (b) the “specified standards” means the standards, applying as at the time of assessment, specified by the Assembly as the standards required of a person who seeks to become a qualified teacher;
- (c) “United Kingdom institution” has the same meaning as in paragraph 2(2)(a).

**8.** The States of Guernsey Education Council has submitted to the Assembly a recommendation that the person should be awarded qualified teacher status and —

- (a) a statement that he has successfully completed two school years' full-time service or the equivalent period of part-time service as a teacher licensed by the States of Guernsey Education Council and the training specified in the licence;
- (b) a statement that —
  - (i) he has successfully completed not less than one school year's service as a teacher licensed by the States of Guernsey Education Council and the training specified in the licence, and
  - (ii) before the date of commencement of the licence he had attained the age of 24 years, and
  - (iii) before the date of commencement of the licence he had been employed for not less than two years as a teacher or a lecturer at an independent school (including a city

Deyrnas Unedig neu fel hyfforddwr neu Swyddog Addysg yn y Lluoedd Arfog y Goron neu fel hyfforddwr o dan baragraff 3 o Atodlen 2 i Reoliadau 1993 neu baragraff 3 o Atodlen 2 ac nad oedd wedi'i ddiswyddo am resymau heblaw colli gwaith; neu

(c) datganiad —

- (i) ei fod wedi cwblhau'n llwyddiannus ddim llai nag un tymor ysgol o wasanaeth fel athro trwyddedig a'r hyfforddiant a gynigwyd yn yr argymhelliad am drwydded, a
- (ii) cyn dyddiad cychwyn y drwydded ei fod wedi cwblhau'n llwyddiannus naill ai —
  - (aa) cwrs hyfforddiant cychwynnol yn para o leiaf dair blynedd ar gyfer athrawon mewn ysgolion mewn sefydliad addysgol y tu allan i Gymru a Lloegr, neu
  - (bb) cwrs gradd gyntaf a chwrs ôl-raddedig o hyfforddiant cychwynnol ar gyfer athrawon mewn ysgolion mewn ysgolion o'r fath (p'un ai yn yr un sefydliad neu beidio), a
- (iii) na chafodd ei gyflogi am lai na blwyddyn fel athro neu ddarlithydd mewn ysgol, ysgol annibynnol (gan gynnwys coleg dinesig), sefydliad neu brifysgol neu sefydliad addysgol arall yng Nghymru neu Loegr neu yn rhywle arall ac na chafodd ei ddiswyddo am resymau heblaw fod ei swydd wedi mynd yn ddiangen.

9.—(1) Mae'r person —

- (a) ym marn y Cynulliad yn berson addas i fod yn athro mewn ysgol;
- (b) wedi cwblhau rhaglen hyfforddi yn foddhaol;
- (c) wedi'i asesu gan berson cymwys fel un sy'n bodloni'r safonau penodedig;
- (d) yn dal gradd gyntaf neu gymhwyster cyfatebol a roddwyd gan sefydliad yn y Deyrnas Unedig, neu gymhwyster o safon sy'n cyfateb iddi ac a roddwyd gan sefydliad addysgol yn rhywle arall;
- (e) wedi cyrraedd y safon ofynnol mewn Saesneg a mathemateg i gyrraedd gradd C yn y Dystysgrif Gyffredinol Addysg Uwchradd;
- (f) wedi llwyddo mewn pwnc gwyddonol unigol neu mewn pwnc gwyddonol cyfun y safon ofynnol i gyrraedd gradd C yn y Dystysgrif Gyffredinol Addysg Uwchradd, os ganwyd y person ar neu ar ôl 1 Rhagfyr 1979 ac yn ystod cyfnod ei hyfforddiant wedi addysgu disgyblion iau nag 11 oed; a
- (g) wedi cyrraedd odran 24 oed.

(2) Yn y paragraff hwn —

college), or an institution or a university in the United Kingdom or as an Instructor or Education Officer in the Armed Forces of the Crown or as an instructor under paragraph 3 of Schedule 2 to the 1993 Regulations or paragraph 3 of Schedule 2 and was not dismissed on grounds other than redundancy; or

(c) a statement that —

- (i) he has successfully completed not less than one school term's service as a licensed teacher and the training proposed in the recommendation for a licence, and
- (ii) before the date of commencement of the licence he had successfully completed either —
  - (aa) a course of at least three years' duration of initial training for teachers in schools at an educational institution outside England and Wales, or
  - (bb) a first degree course and a post-graduate course of initial training for teachers in schools at such an institution (whether or not the same institution), and
- (iii) he had been employed for not less than one year as a teacher or lecturer in a school, independent school (including a city college), institution or university or other educational establishment either in England or Wales or elsewhere and was not dismissed on grounds other than redundancy.

9.—(1) The person —

- (a) is in the opinion of the Assembly a suitable person to be a teacher at a school;
- (b) has satisfactorily completed a training programme;
- (c) has been assessed by a competent person as meeting the specified standards;
- (d) holds a first degree or equivalent qualification granted by a United Kingdom institution, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere;
- (e) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (f) where the person was born on or after 1st December 1979 and during his period of training taught pupils aged below 11 years, he has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (g) has attained the age of 24 years.

(2) In this paragraph —

- (a) ystyr “person cymwys”, pan fydd trefnydd y rhaglen hyfforddi yn sefydliad achrededig, y sefydliad hwnnw, ac mewn unrhyw achos arall y person y mae’r Cynulliad yn ei gymeradwyo at y diben o gyflawni’r asesiad fel y cyfeirir ato yn is-baragraff (1)(c);
  - (b) ystyr “safonau penodedig” yw’r safonau, sy’n gymwys adeg yr asesiad, ac a bennir gan y Cynulliad fel y safonau sy’n ofynnol gan berson sy’n ceisio dod yn athro cymwysedig;
  - (c) ystyr “rhaglen hyfforddi” yw rhaglen hyfforddi nad yw’n llai na thri mis mewn ysgol, heblaw uned cyfeirio disgyblion, neu mewn ysgol annibynnol yn dilyn cais a wnaed gan y corff sy’n trefnu’r hyfforddiant i’r Cynulliad ac a fydd yn cynnwys y manylion y bydd y Cynulliad yn penderfynu arnynt, ac ar yr amod bod y Cynulliad wedi cymeradwyo’r rhaglen fel rhaglen sy’n arwain at statws athro cymwysedig cyn i’r person gychwyn arni;
  - (d) mae i “sefydliad yn y Deyrnas Unedig” yr un ystyr ag sydd ym mharagraff 2(2)(a).
- (a) a “competent person” means, in a case where the organiser of the training programme is an accredited institution, that institution, and in any other case means the person approved by the Assembly for the purpose of carrying out the assessment as referred to in sub-paragraph (1)(c);
  - (b) the “specified standards” means the standards, applying as at the time of assessment, specified by the Assembly as the standards required of a person who seeks to become a qualified teacher;
  - (c) a “training programme” means a programme of training of not less than three months in a school, other than a pupil referral unit, or in an independent school following an application made by the body that is the organiser of the training to the Assembly which shall include such particulars as the Assembly may determine, and provided the Assembly has approved the programme as a programme leading to qualified teacher status prior to the person’s commencement on it;
  - (d) “United Kingdom institution” has the same meaning as in paragraph 2(2)(a).

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OFFERYNNAU STATUDOL

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**1999 Rhif 2817 (Cy.18)**

**ADDYSG, CYMRU**

Rheoliadau Addysg  
(Cymwysterau a  
Safonau Iechyd Athrawon)  
(Cymru) 1999

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STATUTORY INSTRUMENTS

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**1999 No.2817 (W.18)**

**EDUCATION, WALES**

The Education  
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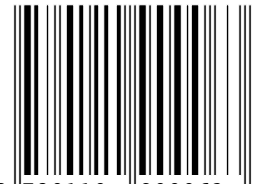
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