



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2000 Rhif 2539 (Cy.162)

2000 No. 2539 (W.162)

ADDYSG, CYMRU

EDUCATION, WALES

**CYFLOGAETH A
HYFFORDDIANT, CYMRU**

**EMPLOYMENT AND
TRAINING, WALES**

Gorchymyn Cyngor Cenedlaethol
Cymru dros Addysg a Hyfforddiant
(Swyddogaethau Interim) 2000

The National Council for Education
and Training for Wales (Interim
Functions) Order 2000

NODYN ESBONIADOL

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

Mae paragraff 13 o Atodlen 10 i Ddeddf Dysgu a Medrau 2000 yn darparu y caiff Cynulliad Cenedlaethol Cymru drwy orchymyn roi pwerau i Gyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant os yw wedi'i sefydlu cyn iddo gael ei swyddogaethau llawn, i'w gynorthwyo i weithredu ei swyddogaethau llawn pan fydd yn eu cael.

Mae'r Gorchymyn hwn a wneir o dan y pŵer y cyfeirir ato uchod yn rhoi pŵer i Gyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant wneud unrhyw beth sy'n angenrheidiol neu'n briodol wrth baratoi i arfer swyddogaethau o dan adrannau 31, 32, 40(1) a (6) a 41 o Ddeddf Dysgu a Medrau 2000 pan fydd yr adrannau hynny yn dod i rym (a disgwylir y bydd hynny ar 1 Ebrill 2001) ynghyd â phŵer cysylltiedig i roi cymorth ariannol.

Y swyddogaethau perthnasol yw prif ddyletswyddau'r Cyngor mewn perthynas ag addysg a hyfforddiant ar gyfer personau 16 i 19 oed a hefyd ar gyfer personau dros 19 oed, pŵer y Cyngor i sicrhau cyfleusterau ar gyfer gwybodaeth, cyngor neu ganllawiau mewn cysylltiad ag addysg neu hyfforddiant a'i ddyletswyddau mewn perthynas â phersonau sydd ag anawsterau dysgu.

EXPLANATORY NOTE

(This note is not part of the Order)

Paragraph 13 of Schedule 10 to The Learning and Skills Act 2000 provides that the National Assembly for Wales may by order confer powers on the National Council for Education and Training for Wales if it is established before it acquires its full functions, to help it carry out its full functions when it acquires them.

This Order made under the power referred to above confers power on the National Council for Education and Training for Wales to do anything necessary or expedient in preparation for the exercise of functions under sections 31, 32, 40(1) and (6) and 41 of the Learning and Skills Act 2000 when those sections come into force (expected to be on 1st April 2001) together with an associated power to give financial assistance.

The relevant functions are the Council's main duties in respect of education and training both for persons aged 16 to 19 years and for persons aged over 19 years, the Council's power to secure facilities for information, advice or guidance in connection with education or training and its duties with respect to persons with learning difficulties.

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(Swyddogaethau Interim) 2000The National Council for Education
and Training for Wales (Interim
Functions) Order 2000*Wedi'i wneud* 15 Medi 2000
Yn dod i rym 19 Medi 2000*Made* 15th September 2000
Coming into force 19th September 2000

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan baragraff 13 o Atodlen 10 i Ddeddf Dysgu a Medrau 2000(a) :

The National Assembly for Wales makes the following Order in exercise of powers conferred on it by paragraph 13 of Schedule 10 to the Learning and Skills Act 2000(a):

Enwi, cychwyn a dehongli

1. Enw'r Gorchymyn hwn yw Gorchymyn Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant (Swyddogaethau Interim) 2000 a daw i rym ar 19 Medi 2000.

2. Yn y Gorchymyn hwn -
ystyr "y Ddeddf" ("*the Act*") yw Deddf Dysgu a Medrau 2000; ac
ystyr "y Cyngor" ("*the Council*") yw Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant.

Swyddogaethau Interim y Cyngor

3. —(1) Hyd nes y daw adrannau 31, 32, 40(1), 40(6) a 41 o'r Ddeddf i rym gall y Cyngor (yn ychwanegol at unrhyw bwerau a roddwyd iddo o dan ddarpariaethau'r Ddeddf sydd mewn grym) -

Commencement, citation and interpretation

1. This Order may be cited as the National Council for Education and Training for Wales (Interim Functions) Order 2000 and shall come into force on 19th September 2000.

2. In this Order -
"the Act" ("*y Ddeddf*") means the Learning and Skills Act 2000; and
"the Council" ("*y Cyngor*") means the National Council for Education and Training for Wales.

Interim functions of the Council

3. —(1) Until sections 31, 32, 40(1), 40(6) and 41 of the Act come into force the Council may (in addition to any powers conferred on it under provisions of the Act which are in force) -

- (a) gwneud unrhyw beth y mae'n ymddangos ei fod yn angenrheidiol neu'n fanteisiol wrth baratoi i arfer y swyddogaethau a roddir gan unrhyw un o'r adrannau hynny pan ddeuant i rym; a
- (b) mewn cysylltiad â'r pwerau a roddir gan is-baragraff (a), rhoi cymorth ariannol i bersonau sy'n bwriadu darparu gwybodaeth, cyngor neu ganllawiau ynghylch addysg neu hyfforddiant neu faterion cysylltiedig (gan gynnwys cyflogaeth).

(2) Os bydd y Cyngor yn darparu cymorth ariannol o dan y pŵer a roddir gan baragraff (1)(b) uchod gall osod amodau; a gall yr amodau -

- (a) galluogi'r Cyngor i'w gwneud yn ofynnol ad-dalu (yn gyfan neu'n rhannol) symiau a delir gan y Cyngor os na chydymffurfir ag unrhyw amodau y telir y symiau'n ddarostyngedig iddynt; a
- (b) ei gwneud yn ofynnol talu llog mewn perthynas ag unrhyw gyfnod pryd y mae swm sy'n ddyledus i'r Cyngor heb ei dalu.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

15 Medi 2000

Ysgrifennydd Cynulliad

- (a) do anything which appears to be necessary or expedient in preparation for the exercise of the functions conferred by any of those sections when they come into force; and
- (b) in connection with the powers conferred by sub-paragraph (a), give financial assistance to persons proposing to provide information, advice or guidance about education or training or connected matters (including employment).

(2) If the Council provides financial assistance under the power conferred by paragraph (1)(b) above it may impose conditions; and the conditions may –

- (a) enable the Council to require the repayment (in whole or part) of sums paid by the Council if any of the conditions subject to which the sums were paid is not complied with; and
- (b) require the payment of interest in respect of any period in which a sum due to the Council is unpaid.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

15th September 2000

Assembly Secretary

Sue Essex

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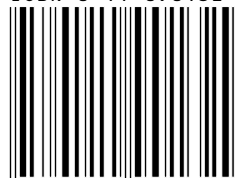
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