



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 2940 (Cy.281)

2002 No. 2940 (W.281)

ADDYSG, CYMRU

EDUCATION, WALES

**Gorchymyn Cyngor Addysgu
Cyffredinol Cymru (Diwygio)
2002**

**The General Teaching Council for
Wales (Amendment) Order
2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Cyngor Addysgu Cyffredinol Cymru 1998 er mwyn addasu cymhwyso Atodlen 1 i Ddeddf Addysgu ac Addysg Uwch 1998 i Gyngor Addysgu Cyffredinol Cymru ("y Cyngor") er mwyn gwaredu rheolaethau ar y Cyngor sy'n arferadwy gan Gynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol").

This Order amends the General Teaching Council for Wales Order 1998 so as to modify the application of Schedule 1 to the Teaching and Higher Education Act 1998 to the General Teaching Council for Wales ("the Council") so as to remove controls on the Council exercisable by the National Assembly for Wales ("the National Assembly").

Caiff y rheolaethau canlynol eu gwaredu -

The following controls are removed -

- Y gofyniad i'r Cyngor gael caniatâd y Cynulliad Cenedlaethol cyn y gall arfer pwerau penodedig;
- Pŵer y Cynulliad Cenedlaethol i benderfynu cyflogau, lwfansau, pensiynau a thaliadau eraill aelodau'r Cyngor;
- Y gofyniad i gael cymeradwyaeth y Cynulliad Cenedlaethol mewn perthynas â thâl, lwfansau, amodau a thelerau gweithwyr y Cyngor;
- Y gofyniad i gael caniatâd y Cynulliad Cenedlaethol mewn perthynas â phensiynau neu arian rhodd gweithwyr y Cyngor;
- Yr hawl i gynrychiolwyr y Cynulliad Cenedlaethol neu gynrychiolydd corff dynodedig i gymryd rhan yng nghyfarfodydd y Cyngor.

- The requirement for the consent of the National Assembly before the Council can exercise specified powers;
- The National Assembly's power to determine Council members' salaries, allowances, pensions and other payments;
- The requirement for the National Assembly's approval in relation to Council employees' remuneration, allowances, terms and conditions;
- The requirement for the National Assembly's consent in relation to Council employees' pensions or gratuities;
- The entitlement of representatives of the National Assembly or a representative of a designated body to participate in Council meetings.

2002 Rhif 2940 (Cy.281)**2002 No. 2940 (W.281)****ADDYSG, CYMRU****EDUCATION, WALES****Gorchymyn Cyngor Addysgu
Cyffredinol Cymru (Diwygio)
2002****The General Teaching Council for
Wales (Amendment) Order
2002**

Wedi'i wneud 27 Tachwedd 2002
Yn dod i rym 31 Mawrth 2003

Made 27th November 2002
Coming into force 31st March 2003

Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 8(1) a (2) o Ddeddf Addysgu ac Addysg Uwch 1998(a) ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(b), mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol:

In exercise of the powers conferred on the Secretary of State by section 8(1) and (2) of the Teaching and Higher Education Act 1998(a) and now vested in the National Assembly for Wales(b), the National Assembly for Wales makes the following Order:

Enw a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Diwygio) 2002 a daw i rym ar 31 Mawrth 2003.

Name and commencement

1. This Order is called the General Teaching Council for Wales (Amendment) Order 2002 and shall come into force on 31st March 2003.

Diwygio Gorchymyn Cyngor Addysgu Cyffredinol Cymru 1998

2. Diwygir Gorchymyn Cyngor Addysgu Cyffredinol Cymru 1998(c) trwy ychwanegu ar ddiwedd erthygl 3 y geiriau canlynol -

" subject to the following modifications of Schedule 1 -

(a) omit paragraph 2(3);

(b) -

(i) in paragraph 4(1)(a), (3) and (4) for "the Secretary of State" substitute "they";

(ii) for paragraph 4(1)(b) substitute -

"shall, as regards any member in whose case they may so determine; pay or make provision for the payment of such sums by way of pension, allowances and gratuities to or in respect of that member as they may determine."; and

Amendment of the General Teaching Council for Wales Order 1998

2. The General Teaching Council for Wales Order 1998(c) shall be amended by adding at the end of article 3 the following words -

" subject to the following modifications of Schedule 1 -

(a) omit paragraph 2(3);

(b) -

(i) in paragraph 4(1)(a), (3) and (4) for "the Secretary of State" substitute "they";

(ii) for paragraph 4(1)(b) substitute -

"shall, as regards any member in whose case they may so determine; pay or make provision for the payment of such sums by way of pension, allowances and gratuities to or in respect of that member as they may determine."; and

(a) 1998 p.30.

(b) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) O.S. 1998/2911.

(a) 1998 c.30.

(b) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) S.I. 1998/2911.

- (iii) in paragraph 4(2) for the words "Secretary of State" in the first place they appear substitute "Council", and for the words "the Secretary of State may direct the Council to make to that person a payment of such amount as the Secretary of State may determine" substitute "the Council may make to that person a payment of such amount as they may determine";
- (c) omit paragraph 5(4);
- (d) in paragraph 6(1) and (3) omit the words "with the consent of the Secretary of State" in each place they appear; and
- (e) omit paragraph 11(1)."

- (iii) in paragraph 4(2) for the words "Secretary of State" in the first place they appear substitute "Council", and for the words "the Secretary of State may direct the Council to make to that person a payment of such amount as the Secretary of State may determine" substitute "the Council may make to that person a payment of such amount as they may determine";
- (c) omit paragraph 5(4);
- (d) in paragraph 6(1) and (3) omit the words "with the consent of the Secretary of State" in each place they appear; and
- (e) omit paragraph 11(1) ."

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

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

27 Tachwedd 2002

27th November 2002

Dafydd Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

OFFERYNNAU STATUDOL

2002 Rhif 2940 (Cy.281)

ADDYSG, CYMRU

Gorchymyn Cyngor Addysgu
Cyffredinol Cymru (Diwygio)
2002

STATUTORY INSTRUMENTS

2002 No. 2940 (W.281)

EDUCATION, WALES

The General Teaching Council for
Wales (Amendment) Order
2002

© Hawlfraint y Goron 2002

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

£1.75

W163/12/02

ON

© Crown copyright 2002

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090593-8



9 780110 905938