CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 880 (Cy.111)

ADDYSG, CYMRU

Gorchymyn Addysg (Ciniawau Ysgol) (Gofyniad Rhagnodedig) (Cymru) 2003

NODYN ESBONIADOL

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

Mae adran 512(3)(a) o Ddeddf Addysg 1996 yn rhoi dylestswydd ar Awdurdodau Addysg Lleol i ddarparu ciniawau ysgol i ddisgyblion sydd yn gymwys i giniawau ysgol yn rhad ac am ddim, ar yr amod bod unrhyw ofynion rhagndoedig yn cael eu bodloni. Mae'r Gorchymyn hwn yn rhagnodi gofyniad o'r fath.

Mae'r gofyniad yn cael ei osod allan yn Erthygl 3. Mae'n gymwys yn unig i ddisgyblion cofrestredig sydd yn derbyn addysg feithrin; rhaid eu bod yn derbyn addysg feithrin lawnamser.

Mae Erthygl 4 yn cynnwys darpariaeth drosiannol i atal disgyblion sydd yn derbyn addysg feithrin ran-amser mewn ysgolion a gynhelir, sydd yn derbyn ciniawau ysgol yn rhad ac am ddim, rhag colli yr hawl i giniawau o'r fath.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 880 (W.111)

EDUCATION, WALES

The Education (School Lunches) (Prescribed Requirement) (Wales) Order 2003

EXPLANATORY NOTE

(This note is not part of the Order)

Section 512(3)(a) of the Education Act 1996 places a duty on Local Education Authorities to provide school lunches to pupils eligible for free school lunches, provided any prescribed requirements are met. This Order prescribes such a requirement.

The requirement is set out in Article 3. It only applies to registered pupils receiving nursery education; they must be receiving full-time nursery education.

Article 4 contains a transitional provision, to prevent pupils undergoing part-time nursery education at maintained schools for whom free school lunches are already being provided when this Order comes into effect, from losing their entitlement to such lunches.

OFFERYNNAU STATUDOL

2003 Rhif 880 (Cy.111)

ADDYSG, CYMRU

Gorchymyn Addysg (Ciniawau Ysgol) (Gofyniad Rhagnodedig) (Cymru) 2003

Wedi'i wneud	*25 Mawrth 2003*
Yn dod i rym	*1 Ebrill 2003*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 512(3) a 568 o Ddeddf Addysg 1996(**a**) ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(**b**).

Enw, cychwyn a chymwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Addysg (Ciniawau Ysgol) (Gofyniad Rhagnodedig) (Cymru) 2003 a daw i rym ar 1 Ebrill 2003.

(2) Mae'r Gorchymyn hwn yn gymwys mewn perthynas â Chymru.

Dehongli

2. Yn y Gorchymyn hwn -

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Addysg 1996;

ystyr "addysg feithrin" ("*nursery education*") yw addysg lawnamser neu ran-amser sydd yn addas ar gyfer plant nad ydynt wedi cyrraedd oedran ysgol orfodol;

a

mae'r cyfeiriad at ysgol a gynhelir yn gyfeiriad at ysgol a gynhelir gan awdurdod addysg lleol o fewn ystyr adran 512(6) o Ddeddf 1996.

(a) 1996 p.56; mewnosodir adran 512 yn rhagolygol gan adran 201 o Ddeddf Addysg 2002 (p. 32). Mae'r rhannau perthnasol o adran 201 i ddod i rym ar 31 Mawrth 2003 yn rhinwedd Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002 (O.S. 2002/3185 (Cy.301) (C.107)). Am ddiffiniad o "prescibed", *gweler* adran 512(6).

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac adran 211(1) a (2) o Ddeddf Addysg 2002.

STATUTORY INSTRUMENTS

2003 No. 880 (W.111)

EDUCATION, WALES

The Education (School Lunches) (Prescribed Requirement) (Wales) Order 2003

Made	*25th March 2003*
Coming into force	*1st April 2003*

The National Assembly for Wales makes the following Order in exercise of the powers conferred on the Secretary of State by sections 512(3) and 568 of the Education Act 1996(**a**) and now vested in the National Assembly for Wales(**b**).

Name, commencement and application

1.-(1) This Order is called the Education (School Lunches) (Prescribed Requirement) (Wales) Order 2003 and shall come into force on 1st April 2003.

(2) This Order applies in relation to Wales.

Interpretation

2. In this Order -

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996;

"nursery education" ("*addysg feithrin*") means full-time or part-time education suitable for children who have not attained compulsory school age;

and

the reference to a maintained school is a reference to a school maintained by a local education authority within the meaning of section 512(6) of the 1996 Act.

(a) 1996 c.56; section 512 is prospectively substituted by section 201 of the Education Act 2002 (c.32). The relevant parts of section 201 are to come into force on 31st March 2003 by virtue of the Education Act 2002 (Commencement No.1) (Wales) Order 2002 (S.I. 2002/3185 (W.301) (C.107)). For the meaning of "prescribed" *see* section 512(6).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and section 211 (1) and (2) of the Education Act 2002.

Gofyniad rhagnodedig ar gyfer ciniawau ysgol

3.-(1) Rhagnodir y gofyniad canlynol at ddiben adran 512(3)(a) o Ddeddf 1996.

(2) Rhaid bod disgybl cofrestredig sydd yn derbyn addysg feithrin yn derbyn addysg lawnamser.

Darpariaeth drosiannol

4. Bydd disgybl sydd yn derbyn addysg feithrin mewn ysgol a gynhelir y mae cinio ysgol yn cael ei ddarparu iddo neu iddi hi yn union cyn 1 Ebrill 2003, yn cael ei drin fel pe na bai unrhyw ofynion rhagnodedig yn gymwys i'r plentyn hwnnw dan adran 512(3)(a) o Ddeddf 1996; hyd nes y bydd yn gorffen derbyn addysg feithrin.

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

25 Mawrth 2003

Llywydd y Cynulliad Cenedlaethol

(a) 1998 p.38.

Prescribed requirement for school lunches

3.-(1) The following requirement is prescribed for the purpose of section 512(3)(a) of the 1996 Act.

(2) A registered pupil who is receiving nursery education must be receiving full-time education.

Transitional Provision

4. A pupil receiving nursery education at a maintained school for whom school lunches are being provided immediately before 1st April 2003 shall, until that pupil ceases to receive nursery education, be treated as if there were no prescribed requirements applying to that pupil under section 512(3)(a) of the 1996 Act.

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

25th March 2003

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) 1998 c.38.

OFFERYNNAU STATUDOL

2003 Rhif 880 (Cy.111)

ADDYSG, CYMRU

Gorchymyn Addysg (Ciniawau Ysgol) (Gofyniad Rhagnodedig) (Cymru) 2003

STATUTORY INSTRUMENTS

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EDUCATION, WALES

The Education (School Lunches) (Prescribed Requirement) (Wales) Order 2003

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