



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2008 Rhif 1866 (Cy.178)

2008 No. 1866 (W.178)

ADDYSG, CYMRU

EDUCATION, WALES

**Rheoliadau Cyfrannau Cyllideb
Ysgolion (Dibenion Rhagnodedig a
Diwygiadau Canlyniadol) (Cymru)
2008**

**The School Budget Shares
(Prescribed Purposes and
Consequential Amendments)
(Wales) Regulations 2008**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae adran 50(3)(a) o Ddeddf Safonau a Fframwaith Ysgolion 1998 yn caniatáu i gorff llywodraethu ysgol a gynhelir wario ei gyfran o'r gyllideb ar unrhyw ddiben sydd gan yr ysgol. Mae'r Rheoliadau hyn yn gosod dibenion ychwanegol y dichon corff llywodraethu wario ei gyfran o'r gyllideb arnynt. Y dibenion hynny yw darparu addysgu a gwasanaethau ac eitemau cysylltiedig i blant a phobl ifanc nad ydynt yn ddisgyblion cofrestredig yn yr ysgol, ac mewn perthynas yn unig ag ysgolion meithrin a gynhelir, darpariaeth addysgol neu arall ar gyfer plant sydd ar fangre'r ysgol a chymorth gweinyddol i ysgolion meithrin eraill a gynhelir. Rhaid i'r corff llywodraethu adrodd yn flynyddol i'w awdurdod addysg lleol ar wariant o'r fath. Gall ysgol felly ddarparu gwasanaethau addysgol i blant a phobl ifanc nad ydynt yn ddisgyblion cofrestredig yn yr ysgol gan ddefnyddio ei chyfran ei hun o'r gyllideb yn hytrach na gorfod hawlio symiau yn ôl oddi wrth ysgolion eraill.

Section 50(3)(a) of the School Standards and Framework Act 1998 allows the governing body of a maintained school to spend its budget share on any purpose of the school. These Regulations set out additional purposes on which the governing body can spend its budget share. These purposes are the provision of teaching and of associated services and items to children and young persons who are not registered pupils at the school, and in relation to maintained nursery schools only, educational or other provision for children on the premises of the school and administrative support to other maintained nursery schools. The governing body must report annually to its local education authority on such expenditure. A school can therefore supply educational services to children and young persons who are not registered pupils at the school using its own budget share rather than having to reclaim amounts from other schools.

Mae Rheoliadau Cyfrannau Cyllideb Ysgolion (Cymru) 2004 hefyd yn cael eu diwygio er mwyn caniatáu i awdurdodau lleol gynnwys symiau yng nghyfrannau cyllideb ysgolion a gynhelir mewn perthynas â darpariaeth a wneir yn unol â'r rheoliadau hyn.

The Schools Budget Shares (Wales) Regulations 2004 are also amended so as to allow local authorities to include sums in the budget shares of maintained schools in respect of provision made in accordance with these regulations.

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Ysgolion (Dibenion Rhagnodedig a
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2008**

Gwnaed 11 Gorffennaf 2008

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 16 Gorffennaf 2008

Yn dod i rym 31 Awst 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 47 a 50(3)(b) o Ddeddf Safonau a Fframwaith Ysgolion 1998(1) ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Rheoliadau a ganlyn:

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyfrannau Cyllideb Ysgolion (Dibenion Rhagnodedig a Diwygiadau Canlyniadol) (Cymru) 2008, a deuant i rym ar 31 Awst 2008.

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

2. Mae'r dibenion a ganlyn wedi eu rhagnodi fel dibenion y caiff corff llywodraethu ysgol a gynhelir wario ei gyfran o'r gyllideb arnynt —

- (a) darparu addysgu i blant a phobl ifanc nad ydynt yn ddisgyblion cofrestredig yn yr ysgol;
- (b) darparu deunyddiau dysgu, adnoddau addysgol, trafniadaeth, prydau a llety ar gyfer plant a phobl ifanc nad ydynt yn ddisgyblion cofrestredig yn yr ysgol; ac

(1) 1998 p.31. Diwygiwyd adran 47 gan baragraff 6 o Atodlen 16 i Ddeddf Addysg 2005 (p.18).

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672 ac yna i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

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EDUCATION, WALES

**The School Budget Shares
(Prescribed Purposes and
Consequential Amendments)
(Wales) Regulations 2008**

Made 11 July 2008

*Laid before the National
Assembly for Wales* 16 July 2008

Coming into force 31 August 2008

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 47 and 50(3)(b) of the School Standards and Framework Act 1998(1), and now vested in them(2), make the following Regulations:

1.—(1) The title of these Regulations is the School Budget Shares (Prescribed Purposes and Consequential Amendments) (Wales) Regulations 2008, and they come into force on 31 August 2008.

(2) These Regulations apply in relation to Wales.

2. The following purposes are prescribed as purposes for which the governing body of a maintained school may spend its budget share —

- (a) the provision of teaching to children and young persons who are not registered pupils at the school;
- (b) the provision of learning materials, educational resources, transport, meals and accommodation for children and young persons who are not registered pupils at the school; and

(1) 1998 c.31. Section 47 is amended by paragraph 6 of Schedule 16 to the Education Act 2005 (c.18).

(2) Functions of the Secretary of State were transferred to the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, and then to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(c) mewn perthynas yn unig ag ysgolion meithrin a gynhelir, unrhyw ddarpariaeth addysgol neu arall a wneir ar gyfer plant ar fangre'r ysgol (gan gynnwys unrhyw ddarpariaeth o'r fath a wneir gan y corff llywodraethu o dan adran 27 o Ddeddf Addysg 2002(1)), neu gymorth gweinyddol a ddarperir ar gyfer ysgolion meithrin eraill a gynhelir yn ardal yr un awdurdod addysg lleol.

3. Mae'r dibenion hyn wedi eu rhagnodi yn ddarostyngedig i'r amod bod y corff llywodraethu yn cyflwyno i'r awdurdod addysg lleol sy'n cynnal yr ysgol, erbyn 30 Gorffennaf bob blwyddyn, ddatganiad sy'n gosod manylion y ddarpariaeth a wnaed yn y flwyddyn ariannol flaenorol yn unol â'r Rheoliadau hyn, a'r gwariant ar y ddarpariaeth honno.

4. Mae Rheoliadau Cyfrannau Cyllideb Ysgolion (Cymru) 2004(2) yn cael eu diwygio drwy ychwanegu'r paragraff a ganlyn ar ôl paragraff 36 o'r Atodlen i'r Rheoliadau hynny—

"37. Y fath eitemau o wariant ag a ragnodir gan reoliad 2 o Rheoliadau Cyfrannau Cyllideb Ysgolion (Dibenion Rhagnodedig a Diwygiadau Canlyniadol) (Cymru) 2008."

(c) in respect of maintained nursery schools only, any educational or other provision made for children on the premises of the school (including any such provision made by the governing body under section 27 of the Education Act 2002(1)), or administrative support provided for other maintained nursery schools in the area of the same local education authority.

3. These purposes are prescribed subject to the condition that the governing body by 30 July each year submits to the local education authority maintaining the school a statement setting out details of the provision made in the preceding financial year in accordance with these Regulations, and the expenditure on that provision.

4. The Schools Budget Shares (Wales) Regulations 2004(2) are amended by adding the following paragraph after paragraph 36 of the Schedule to those Regulations—

"37. Such items of expenditure as are prescribed by regulation 2 of the School Budget Shares (Prescribed Purposes and Consequential Amendments) (Wales) Regulations 2008."

Jane E. Hutt

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, un o Weinidogion Cymru

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

11 Gorffennaf 2008

11 July 2008

(1) 2002 p.32.

(2) O.S. 2004/2506 (Cy.224), fel y'i diwygiwyd gan O.S. 2005/2913, O.S. 2005/3238.

(1) 2002 c.32.

(2) S.I. 2004/2506 (W.224), as amended by S.I. 2005/2913, S.I. 2005/3238.

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