



OFFERYNNAU STATUDOL
CYMRU

2009 Rhif 1338 (Cy.123)

ADDYSG, CYMRU

Rheoliadau Addysg (Ardaloedd y
Perthyn Disgyblion a Myfyrwyr
iddynt) (Diwygio) (Cymru)
2009

NODYN ESBONIADOL

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

Mae Rheoliadau Addysg (Ardaloedd y Perthyn Disgyblion a Myfyrwyr iddynt) (Diwygio) (Cymru) 2009 yn diwygio Rheoliadau Addysg (Ardaloedd y Perthyn Disgyblion a Myfyrwyr iddynt) 1996(1) ("y Prif Rheoliadau").

Mae rheoliadau 2(2), 2(4), 2(5), 2(10) a 2(11) yn dileu cyfeiriadau at fyfyrwyr addysg bellach yn rheoliadau 2(1) a 3(a) o'r Prif Rheoliadau ac yn dirymu rheoliadau 3(b), 7(2)(d), 8, 9 a 10 o'r Rheoliadau hynny. Effaith hyn yw y bydd y Prif Rheoliadau yn peidio â gwneud darpariaeth arbennig ynghylch yr ardaloedd y dylid trin myfyrwyr addysg bellach fel bod yn perthyn iddynt. Mae Rheoliad 2(11) hefyd yn dirymu rheoliad 11 o'r Prif Rheoliadau sy'n gwneud darpariaeth i beri fod Rheoliadau Addysg (Ardaloedd y Perthyn Disgyblion a Myfyrwyr iddynt) 1989(2) yn parhau i fod yn gymwys i daliadau penodedig, gan nad oes ei hangen bellach.

Mae rheoliad 2(3) yn diwygio rheoliad 2 o'r Prif Rheoliadau i ddarparu nad yw'r Rheoliadau hynny'n gymwys at ddibenion pennu'r awdurdod addysg sy'n gyfrifol am ddynodi, asesu, am wneud a chynnal a chadw datganiadau ac am gyflawni swyddogaethau eraill o dan Ran 4 o Ddeddf Addysg 1996 sy'n ymwneud â phlant ag anghenion addysgol arbennig.

WELSH STATUTORY
INSTRUMENTS

2009 No. 1338 (W.123)

EDUCATION, WALES

The Education (Areas to which
Pupils and Students Belong)
(Amendment) (Wales) Regulations
2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Education (Areas to which Pupils and Students Belong) (Amendment) (Wales) Regulations 2009 amend the Education (Areas to which Pupils and Students Belong) Regulations 1996(1) ("the Principal Regulations").

Regulations 2(2), 2(4), 2(5), 2(10) and 2(11) remove references to further education students in regulations 2(1) and 3(a) of the Principal Regulations and revoke regulations 3(b), 7(2)(d), 8, 9 and 10 of those Regulations. The effect of this is that the Principal Regulations will cease to make special provision about the areas to which further education students are to be treated as belonging. Regulation 2(11) also revokes regulation 11 of the Principal Regulations, which makes provision for the Education (Areas to which Pupils and Students Belong) Regulations 1989(2) to continue to apply for specified payments, as it is no longer needed.

Regulation 2(3) amends regulation 2 of the Principal Regulations to provide that those Regulations do not apply for the purpose of determining the education authority responsible for identifying, assessing, making and maintaining statements and performance of other functions under Part 4 of the Education Act 1996 relating to children with special educational needs.

(1) O.S. 1996/615 fel y'i diwygiwyd gan O.S. 1997/597.

(2) O.S. 1989/2037.

(1) S.I. 1996/615 as amended by S.I. 1997/597.

(2) S.I. 1989/2037.

Mae Rheoliadau 2(6) i (8) yn diwygio amryw o reoliadau yn y Prif Reoliadau drwy osod yn lle cyfeiriadau at ddeddfwriaeth nad yw mwyach yn bod gyfeiriadau at ddeddfwriaeth gyfredol.

Mae Rheoliad 2(9) yn diwygio rheoliad 7 o'r Prif Reoliadau i'w gwneud yn glir fod y rheoliad yn gymwys gan gau allan reoliadau eraill yn y Prif Reoliadau yn unig.

Regulations 2(6) to (8) amends various regulations in the Principal Regulations by substituting references to current legislation for references to legislation that is no longer in existence.

Regulation 2(9) amends regulation 7 of the Principal Regulations to make clear that the regulation applies to the exclusion of other regulations in the Principal Regulations only.

2009 Rhif 1338 (Cy.123)

ADDYSG, CYMRU

**Rheoliadau Addysg (Ardaloedd y
Perthyn Disgyblion a Myfyrwyr
iddynt) (Diwygio) (Cymru)
2009**

Gwnaed 29 Mai 2009
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 2 Mehefin 2009
Yn dod i rym 24 Mehefin 2009

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 569(4) a 579(4) o Ddeddf Addysg 1996(1) ac sydd bellach wedi'u breinio ynddynt hwy(2) yn gwneud y Rheoliadau canlynol.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Ardaloedd y Perthyn Disgyblion a Myfyrwyr iddynt) (Diwygio) (Cymru) 2009 a deuant i rym ar 24 Mehefin 2009.

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

**Diwygio Rheoliadau Addysg (Ardaloedd y Perthyn
Disgyblion a Myfyrwyr iddynt) 1996(3)**

2.—(1) Diwygir Rheoliadau Addysg (Ardaloedd y Perthyn Disgyblion a Myfyrwyr iddynt) 1996 fel a ganlyn.

(2) Yn rheoliad 2(1), hepgorer—

""further education student" means a person in respect of whom provision for further education is made;".

(1) 1996 p.56.

(2) Trosglwyddwyd swyddogaethau yr Ysgrifennydd Gwladol o dan yr adrannau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weiniogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(3) O.S. 1996/615 fel y'i diwygiwyd gan O.S. 1997/597.

2009 No. 1338 (W.123)

EDUCATION, WALES

**The Education (Areas to which
Pupils and Students Belong)
(Amendment) (Wales) Regulations
2009**

Made 29 May 2009
*Laid before the National
Assembly for Wales* 2 June 2009
Coming into force 24 June 2009

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by sections 569(4) and 579(4) of the Education Act 1996(1) and now vested in them(2) make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Areas to which Pupils and Students Belong) (Amendment) (Wales) Regulations 2009 and they come into force on 24 June 2009.

(2) These Regulations apply in relation to Wales.

**Amendment of the Education (Areas to which
Pupils and Students Belong) Regulations 1996(3)**

2.—(1) The Education (Areas to which Pupils and Students Belong) Regulations 1996 are amended as follows.

(2) In regulation 2(1), omit—

""further education student" means a person in respect of whom provision for further education is made;".

(1) 1996 c.56.

(2) The functions of the Secretary of State under these sections transferred to the National Assembly for Wales by 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).

(3) S.I. 1996/615 as amended by S.I. 1997/597.

(3) Yn rheoliad 2, ar ôl paragraff (3), mewnosoder—

"(4) These Regulations do not apply for the purposes of determining which authority's area a child is in for the purposes of section 321(3)(1) of the Education Act 1996."

(4) Yn rheoliad 3(a), hepgorer—

"other than a further education student" ac "and".

(5) Hepgorer paragraff (b) o reoliad 3.

(6) Yn rheoliadau 4(2)(a), 5(2)(a) a 7(2)(a), yn lle "Part III of the Education Act 1993", rhodder "Part 4 of the Education Act 1996".

(7) Yn rheoliad 4(2)(b), yn lle "section 50(1) of the Education Act 1944", rhodder "section 514(1)(2) of the Education Act 1996".

(8) Yn rheoliadau 6(2)(b) a 7(2)(c), yn lle "section 298(1) of the Education Act 1993", rhodder "section 19(1)(3) of the Education Act 1996".

(9) Yn rheoliad 7(1), ar ôl y geiriau "other regulation", ychwaneger y geiriau "in these Regulations".

(10) Yn rheoliad 7(2), —

(a) hepgorer "or" ar ddiwedd is-baragraff (c), a

(b) hepgorer is-baragraff (d).

(11) Hepgorer rheoliadau 8, 9, 10 ac 11.

(3) In regulation 2, after paragraph (3), insert—

"(4) These Regulations do not apply for the purposes of determining which authority's area a child is in for the purposes of section 321(3)(1) of the Education Act 1996."

(4) In regulation 3(a), omit—

"other than a further education student" and "and".

(5) Paragraph (b) of regulation 3 is omitted.

(6) In each of regulations 4(2)(a), 5(2)(a) and 7(2)(a), for "Part III of the Education Act 1993", substitute "Part 4 of the Education Act 1996".

(7) In regulation 4(2)(b), for "section 50(1) of the Education Act 1944", substitute "section 514(1)(2) of the Education Act 1996".

(8) In each of regulations 6(2)(b) and 7(2)(c), for "section 298(1) of the Education Act 1993", substitute "section 19(1)(3) of the Education Act 1996".

(9) In regulation 7(1), after the words "other regulation", add "in these Regulations".

(10) In regulation 7(2)—

(a) omit "or" at the end of sub-paragraph (c), and

(b) omit sub-paragraph (d).

(11) Regulations 8, 9, 10 and 11 are omitted.

Jane 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

29 Mai 2009

29 May 2009

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(1) Diwygir adran 321(3)(a) gan adran 140(1) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31) a pharagraff 76(a) o Atodlen 30 iddi, ac adran 215(1) o Ddeddf Addysg 2002 (p.32) a pharagraff 42 o Atodlen 21 iddi.

Mewnosodwyd adran 321(3)(b) gan adran 140(1) o Ddeddf Safonau a Fframwaith Ysgolion 1998 a pharagraff 76(b) o Atodlen 30 iddi, ac fe'i diwygiwyd gan adran 215(1) o Ddeddf Addysg 2002 a pharagraff 42 o Atodlen 21 iddi.

(2) Diwygir adran 514 gan adran 140(1) o Ddeddf Safonau a Fframwaith Ysgolion 1998 a pharagraff 135 o Atodlen 30 iddi.

(3) Diwygir adran 19(1) gan adran 47(2) a 57(4) o Ddeddf Addysg 1996 ac Atodlen 8 iddi.

(1) Section 321(3)(a) is amended by section 140(1) of, and paragraph 76(a) of Schedule 30 to, the School Standards and Framework Act 1998 (c.31), and section 215(1) of, and paragraph 42 of Schedule 21 to, the Education Act 2002 (c.32).

Section 321(3)(b) was inserted by section 140(1) of, and paragraph 76(b) of Schedule 30 to, the School Standards and Framework Act 1998 and amended by section 215(1) of, and paragraph 42 of Schedule 21 to, the Education Act 2002.

(2) Section 514 is amended by section 140(1) of, and paragraph 135 of Schedule 30 to, the School Standards and Framework Act 1998.

(3) Section 19(1) is amended by section 47(2) and 57(4) of, and Schedule 8 to, the Education Act 1996.