OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2009 Rhif 1352 (Cy.128)

ADDYSG, CYMRU

Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) (Diwygio) 2009

NODYN ESBONIADOL

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

Mae Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) 1999, fel y'u diwygiwyd, ("Rheoliadau 1999") yn darparu ar gyfer cyfansoddiad Cyngor Addysgu Cyffredinol Cymru ("y Cyngor"). Mae'r Rheoliadau hyn yn diwygio Rheoliadau 1999 a hynny'n bennaf oherwydd bod darpariaethau Deddf Diogelu Grwpiau Hyglwyf 2006 wedi dod i rym.

Mae rheoliad 5 o Reoliadau 1999 wedi'i ddiwygio fel na fydd person sydd wedi'i wahardd o weithgaredd a reoleiddir sy'n ymwneud â phlant o dan Ddeddf Diogelu Grwpiau Hyglwyf 2006 yn gymwys i fod yn aelod o'r Cyngor (p'un ai drwy benodiad neu etholiad) nac i bleidleisio mewn etholiad.

Mae rheoliad 10 o Reoliadau 1999 wedi'i ddiwygio fel bod aelod o'r Cyngor, os yw wedi'i wahardd felly, yn peidio â dal ei swydd.

Mae'r diwygiadau eraill sydd wedi'u gwneud gan y Rheoliadau hyn —

- yn diweddaru'r cyfeiriadau yn y darpariaethau dehongli yn rheoliad 2 o Reoliadau 1999, ac
- yn diweddaru'r Atodlen i Reoliadau 1999 (cyrff y mae hawl ganddynt i enwebu personau i'w penodi gan Weinidogion Cymru).

2009 No. 1352 (W.128)

EDUCATION, WALES

The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

The General Teaching Council for Wales (Constitution) Regulations 1999, as amended, ("the 1999 Regulations") provide for the constitution of the General Teaching Council for Wales ("the Council"). These Regulations amend the 1999 Regulations mainly as a consequence of the coming into force of provisions of the Safeguarding Vulnerable Groups Act 2006.

Regulation 5 of the 1999 Regulations is amended so that a person who has been barred from regulated activity relating to children under the Safeguarding Vulnerable Groups Act 2006 is not eligible to be a member of the Council (whether by appointment or election) nor to vote in an election.

Regulation 10 of the 1999 Regulations is amended so that if a Council member is so barred, that member ceases to hold office.

The other amendments made by these Regulations—

- update references in the interpretation provisions in regulation 2 of the 1999 Regulations, and
- update the Schedule to the 1999 Regulations (bodies entitled to nominate persons for appointment by the Welsh Ministers).

OFFERYNNAU STATUDOL
CYMRU

2009 Rhif 1352 (Cy.128)

ADDYSG, CYMRU

Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) (Diwygio) 2009

Gwnaed	*2 Mehefin 2009*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*4 Mehefin 2009*
Yn dod i rym	*12 Hydref 2009*

Drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 1(5) a (7) o Ddeddf Addysgu ac Addysg Uwch 1998, a pharagraff 3 o Atodlen 1 iddi(**1**), ac a freiniwyd bellach yng Ngweinidogion Cymru(**2**), ac ar ôl ymgynghori â Chyngor Addysgu Cyffredinol Cymru yn unol ag adran 42(9) o Ddeddf Addysgu ac Addysg Uwch 1998, mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn:

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) (Diwygio) 2009 ac maent yn dod i rym ar 12 Hydref 2009.

Diwygio Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) 1999

2.—(1) Mae Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) 1999(**3**) wedi'u diwygio fel a ganlyn.

(2) Yn rheoliad 2(1), hepgorer y diffiniad o "the 1988 Act".

(**1**) 1998 p.30; i gael ystyr "prescribed" a "regulations" *gweler* adran 43(1). Mae adran 1(5) a (7) ac Atodlen 1 yn cael effaith mewn perthynas â Chyngor Addysgu Cyffredinol Cymru yn rhinwedd Gorchymyn Cyngor Addysgu Cyffredinol Cymru 1998 (O.S. 1998/2911).

(**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).

(**3**) O.S. 1999/1619, a ddiwygiwyd gan O.S. 1999/3185 (Cy.43), O.S. 2003/389 (Cy.51) ac O.S. 2007/812 (Cy.69).

WELSH
STATUTORY INSTRUMENTS

2009 No. 1352 (W.128)

EDUCATION, WALES

The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2009

Made	*2 June 2009*
Laid before the National Assembly for Wales	*4 June 2009*
Coming into force	*12 October 2009*

In exercise of the powers conferred on the Secretary of State by section 1(5) and (7) of, and paragraph 3 of Schedule 1 to, the Teaching and Higher Education Act 1998(**1**), and now vested in the Welsh Ministers(**2**), and having consulted the General Teaching Council for Wales in accordance with section 42(9) of the Teaching and Higher Education Act 1998, the Welsh Ministers make the following Regulations:

Title and commencement

1. The title of these Regulations is the General Teaching Council for Wales (Constitution) (Amendment) Regulations 2009 and they come into force on 12 October 2009.

Amendment of the General Teaching Council for Wales (Constitution) Regulations 1999

2.—(1) The General Teaching Council for Wales (Constitution) Regulations 1999(**3**) are amended as follows.

(2) In regulation 2(1) omit the definition of "the 1988 Act".

(**1**) 1998 c.30; for the meaning of "prescribed" and "regulations" *see* section 43(1). Section 1(5) and (7) and Schedule 1 have effect in relation to the General Teaching Council for Wales by virtue of the General Teaching Council for Wales Order 1998 (S.I. 1998/2911).

(**2**) The 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).

(**3**) S.I. 1999/1619, amended by S.I. 1999/3185 (W.43), S.I. 2003/389 (W.51) and S.I. 2007/812 (W.69).

(3) Yn rheoliad 2(2)(b), yn lle'r geiriau "section 218(2) of the 1988 Act", rhodder y geiriau "section 132(1) of the Education Act 2002(**1**)".

(4) Yn lle rheoliad 5(2)(a), rhodder —

"(a) the person's employment as a teacher is restricted or prohibited as a result of a direction under section 142 of the Education Act 2002 or the person is barred from regulated activity relating to children within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006(**2**);".

(5) Yn lle rheoliad 10(2)(a), rhodder —

"(a) the person's employment as a teacher is restricted or prohibited as a result of a direction under section 142 of the Education Act 2002 or the person is barred from regulated activity relating to children within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006;".

(6) Yn yr Atodlen —

(a) yn Rhan 1, hepgorer y cofnod "University and College Union"; a

(b) yn Rhan 2, yn lle "Parent Teacher Associations of Wales" rhodder "National Confederation of Parent Teacher Associations", yn lle "Independent Schools Information Service Wales" rhodder "Independent Schools Council" ac ar ôl y cofnod sy'n dwyn y rhif 30 ychwaneger "31. University and College Union".

(3) In regulation 2(2)(b) for the words "section 218(2) of the 1988 Act" substitute "section 132(1) of the Education Act 2002(**1**)".

(4) For regulation 5(2)(a) substitute —

"(a) the person's employment as a teacher is restricted or prohibited as a result of a direction under section 142 of the Education Act 2002 or the person is barred from regulated activity relating to children within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006(**2**);".

(5) For regulation 10(2)(a) substitute —

"(a) the person's employment as a teacher is restricted or prohibited as a result of a direction under section 142 of the Education Act 2002 or the person is barred from regulated activity relating to children within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006;".

(6) In the Schedule —

(a) in Part 1, omit the entry "University and College Union"; and

(b) in Part 2, for "Parent Teacher Associations of Wales" substitute "National Confederation of Parent Teacher Associations", for "Independent Schools Information Service Wales" substitute "Independent Schools Council" and after the entry numbered 30 add "31. University and College Union".

Jane Hutt

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

2 Mehefin 2009

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

2 June 2009

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(**1**) 2002 p.32. Rheoliadau Addysg (Cymwysterau Athrawon Ysgol) (Cymru) 2004, O.S. 2004/1729 (Cy.173) yw'r Rheoliadau sydd mewn grym o dan adran 132(1) adeg gwneud y Rheoliadau hyn.

(**2**) 2006 p.47.

(**1**) 2002 c.32. The Regulations in force under section 132(1) at the time of making these Regulations are the Education (School Teachers' Qualifications) (Wales) Regulations 2004, S.I. 2004/1729 (W.173).

(**2**) 2006 c.47.