OFFERYNNAU STATUDOL CYMRU

2010 Rhif 2431 (Cy.209)

ADDYSG, CYMRU

Rheoliadau Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (Diwygiadau Canlyniadol) (Cymru) 2010

NODYN ESBONIADOL

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

Caiff y Rheoliadau hyn eu gwneud o ganlyniad i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 ("Deddf 2009"). Mae Rhan 7 o Ddeddf 2009 yn sefydlu Swyddfa Rheoleiddio Cymwysterau ac Arholiadau ac yn gosod ei hamcanion a'i dyletswyddau cyffredinol. Mae Rhan 8 o Ddeddf 2009 yn gwneud darpariaeth ar gyfer yr Awdurdod Cymwysterau a Chwricwlwm, a gafodd ei sefydlu o dan adran 21 o Ddeddf Addysg 1997, i barhau mewn bodolaeth ond a elwir bellach yn Asiantaeth Datblygu Cymwysterau a Chwricwlwm ac mae'n diwygio ei amcanion a'i ddyletswyddau cyffredinol.

Mae'r Rheoliadau hyn yn diwygio is-ddeddfwriaeth, o ganlyniad i ddwyn Rhan 7 o Ddeddf 2009 i rym, ac o ganlyniad i'r diwygiad canlyniadol i adran 30 o Ddeddf Addysg 1997 gan Ddeddf 2009 (Swyddogaethau Gweinidogion Cymru mewn perthynas â chymwysterau galwedigaethol ac academaidd allanol).

WELSH STATUTORY INSTRUMENTS

2010 No. 2431 (W.209)

EDUCATION, WALES

The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (Wales) Regulations 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made as a consequence of the Apprenticeships, Skills, Children and Learning Act 2009 ("the 2009 Act"). Part 7 of the 2009 Act establishes the Office of Qualifications and Examinations Regulation and sets out its objectives and general duties. Part 8 of the 2009 Act makes provision for the Qualifications and Curriculum Authority, established under section 21 of the Education Act 1997, to continue in existence but is to be known instead as the Qualifications and Curriculum Development Agency and amends its objectives and general duties.

These Regulations make amendments to secondary legislation, in consequence of the coming into force of Part 7 of the 2009 Act, and the consequent amendment to section 30 of the Education Act 1997 by the 2009 Act (Welsh Ministers functions in relation to external vocational and academic qualifications).

OFFERYNNAU STATUDOL CYMRU

2010 Rhif 2431 (Cy.209)

ADDYSG, CYMRU

Rheoliadau Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (Diwygiadau Canlyniadol) (Cymru) 2010

Gwnaed	*4 Hydref 2010*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*6 Hydref 2010*
Yn dod i rym	*1 Tachwedd 2010*

Mae Gweinidogion Cymru drwy arfer y pwerau a roddwyd gan adrannau 29(3), 342(4), 347(2), 408, 537, 537A, 537B, 563 a 569 o Ddeddf Addysg 1996(**1**), ac adrannau 92 a 138(7) a (8) o Ddeddf Safonau a

(**1**) 1996 p.56; trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 29(3), 342(4), 347(2), 408, 537, 537A, 563 a 569, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yn rhinwedd adran 150 o Ddeddf Dysgu a Medrau 2000 (p.21) ac adran 211 o Deddf Addysg 2002 (p.32), ac sydd bellach wedi eu breinio yng Ngweinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32). Trosglwyddwyd swyddogaethau o dan adran 537B i Gynulliad Cenedlaethol Cymru yn rhinwedd adran 180 o Ddeddf Addysg ac Arolygiadau 2006 (p.40) ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006. Diwygiwyd adran 29(3) gan Ddeddf Addysg 2002 (p.32), Atodlen 30, paragraff 67 ac Atodlen 31. Diwygiwyd adran 408 gan Ddeddf Addysg 1997 (p.44), Atodlen 7, paragraff 30, Deddf Safonau a Fframwaith Ysgolion 1998 (p.31), Atodlen 30, paragraffau 57 a 106, Deddf Dysgu a Medrau 2000 (p.21), Atodlen 9, paragraff 57 a Deddf Addysg 2002, Atodlen 21, paragraff 46. Diwygiwyd adran 537 gan Ddeddf Addysg 1997, Atodlen 7, paragraff 37, gan Ddeddf Safonau a Fframwaith Ysgolion 1998, Atodlen 30, paragraffau 57 a 152, a chan Ddeddf Dysgu a Medrau 2000, Atodlen 9, paragraff 60, a chan Ddeddf Addysg 2002, Atodlen 7, paragraff 6 ac Atodlen 22, Rhan 3. Mewnosodwyd adran 537A gan adran 20 o Ddeddf Addysg 1997, ac fe'i hamnewidiwyd gan baragraff 153 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998. Mewnosodwyd adran 537B gan adran 164 o Ddeddf Addysg ac Arolygiadau 2006 (p.40). Diwygiwyd adran 563 gan Ddeddf Safonau a Fframwaith Ysgolion 1998, Atodlen 30, paragraff 172(a) a (b).

WELSH STATUTORY INSTRUMENTS

2010 No. 2431 (W.209)

EDUCATION, WALES

The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (Wales) Regulations 2010

Made	*4 October 2010*
Laid before the National Assembly for Wales	*6 October 2010*
Coming into force	*1 November 2010*

The Welsh Ministers in exercise of the powers conferred by sections 29(3), 342(4), 347(2), 408, 537, 537A, 537B, 563 and 569 of the Education Act 1996(**1**), and sections 92 and 138(7) and (8) of the

(**1**) 1996 c.56; the functions of the Secretary of State under sections 29(3), 342(4), 347(2), 408, 537, 537A, 563 and 569, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and by virtue of section 150 of the Learning and Skills Act 2000 (c.21) and section 211 of the Education Act 2002 (c.32), and are now vested in the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32). Functions under section 537B were transferred to the National Assembly for Wales by virtue of section 180 of the Education and Inspections Act 2006 (c.40) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006. Section 29(3) was amended by the Education Act 2002 (c.32), Schedule 30, paragraph 67 and Schedule 31. Section 408 was amended by the Education Act 1997 (c.44), Schedule 7, paragraph 30, the School Standards and Framework Act 1998 (c.31), Schedule 30, paragraphs 57 and 106, the Learning and Skills Act 2000 (c.21), Schedule 9, paragraph 57 and the Education Act 2002, Schedule 21, paragraph 46. Section 537 was amended by the Education Act 1997, Schedule 7, paragraph 37, by the School Standards and Framework Act 1998, Schedule 30, paragraphs 57 and 152, and by the Learning and Skills Act 2000, Schedule 9, paragraph 60, and by the Education Act 2002, Schedule 7, paragraph 6 and Schedule 22, Part 3. Section 537A was inserted by section 20 of the Education Act 1997, and substituted by paragraph 153 of Schedule 30 to the School Standards and Framework Act 1998. Section 537B was inserted by section 164 of the Education and Inspections Act 2006 (c.40). Section 563 was amended by the School Standards and Framework Act 1998, Schedule 30, paragraph 172(a) and (b).

Fframwaith Ysgolion 1998(**1**), ac adrannau 30, 116A(5), 116D(2) a 210 o Ddeddf Addysg 2002(**2**), ac ar ôl ymgynghori â'r personau hynny yr oedd yn ymddangos iddynt bod ymgynghori â hwy yn beth dymunol, yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (Diwygiadau Canlyniadol) (Cymru) 2010 ac maent yn dod i rym ar 1 Tachwedd 2010.

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

Diwygio Rheoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994

2. Diwygir Rheoliadau Addysg (Anghenion Addysgol Arbennig) (Cymeradwyo Ysgolion Annibynnol) 1994(**3**) fel a ganlyn–

(a) yn rheoliad 2(1) mewnosoder ar ôl y diffiniad o "approval"–

""approved relevant qualification" is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**4**);"; a

(b) ym mharagraff 12(2)(c)(vi) a pharagraff 12(2)(c)(vii) o Atodlen 2, yn lle "external" rhodder "approved relevant".

(**1**) 1998 p.31. Amnewidiwyd adran 92 gan baragraff 7 o Atodlen 4 i Ddeddf Addysg 2002 (p.32). Trosglwyddwyd swyddogaethau o dan adrannau 92 a 138 i Gynulliad Cenedlaethol Cymru yn rhinwedd adran 211 o Ddeddf Addysg 2002, ac yna i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

(**2**) 2002 p.32. Mae adran 30 yn ailddeddfu'n sylweddol adran 42 o Ddeddf Safonau a Fframwaith Ysgolion 1998. Diwygiwyd adran 30 gan adran 103(1)(a), (b) ac (c) o Ddeddf Addysg 2005 (p.18), a chan adran 2 o Fesur Bwyta'n Iach mewn Ysgolion (Cymru) 2009 (mccc 3). Mewnosodwyd adran 116A gan adran 4 o Fesur Dysgu a Sgiliau (Cymru) 2009 (mccc 1). Mewnosodwyd adran 116D gan adran 7 o Fesur Dysgu a Sgiliau (Cymru) 2009. Diwygiwyd adran 210 gan Fesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2) a Deddf Gofal Plant 2006, Atodlen 1, paragraff 16. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan adrannau 30 a 210 o Ddeddf Addysg 2002 i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

(**3**) O.S. 1994/651.

(**4**) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

School Standards and Framework Act 1998(**1**), and sections 30, 116A(5), 116D(2) and 210 of the Education Act 2002(**2**), and after consulting those persons with whom consultation appeared to them to be desirable, make the following Regulations:

Title, commencement and application

1.–(1) The title of these Regulations is the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (Wales) Regulations 2010 and they come into force on 1 November 2010.

(2) These Regulations apply in relation to Wales.

Amendment of the Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994

2. The Education (Special Educational Needs) (Approval of Independent Schools) Regulations 1994(**3**) are amended as follows–

(a) in regulation 2(1) insert after the definition of "approval"–

""approved relevant qualification" is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**4**);"; and

(b) in paragraph 12(2)(c)(vi) and paragraph 12(2)(c)(vii) of Schedule 2, for "external" substitute "approved relevant".

(**1**) 1998 c.31. Section 92 was substituted by paragraph 7 of Schedule 4 to the Education Act 2002 (c.32). Functions under sections 92 and 138 were transferred to the National Assembly for Wales by virtue of section 211 of the Education Act 2002, and then 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 paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

(**2**) 2002 c.32. Section 30 substantially re-enacts section 42 of the School Standards and Framework Act 1998. Section 30 was amended by section 103(1)(a), (b) and (c) of the Education Act 2005 (c.18), and by section 2 of the Healthy Eating in Schools (Wales) Measure 2009 (nawm 3). Section 116A was inserted by section 4 of the Learning and Skills (Wales) Measure 2009 (nawm 1). Section 116D was inserted by section 7 of the Learning and Skills (Wales) Measure 2009. Section 210 was amended by the Learner Travel (Wales) Measure 2008 (nawm 2) and the Childcare Act 2006, Schedule 1, paragraph 16. The functions of the National Assembly for Wales under sections 30 and 210 of the Education Act 2002 were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

(**3**) S.I. 1994/651.

(**4**) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

Diwygio Rheoliadau Addysg (Ysgolion Arbennig) 1994

3. Diwygir Rheoliadau Addysg (Ysgolion Arbennig) 1994(**1**) fel a ganlyn–

(a) yn rheoliad 2(1) mewnosoder ar ôl y diffiniad o "the 1993 Act"–

""approved relevant qualification" is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**2**); ";

(b) ym mharagraff 5 o Ran 3 o'r Atodlen, yn lle is-baragraff (2)(a) rhodder–

"(a) a list of the approved relevant qualifications for which courses of study are provided for pupils of compulsory school age at the school;"; ac

(c) ym mharagraff 5(2)(c) o Ran 3 o'r Atodlen, yn lle "external" rhodder "approved relevant".

Diwygio Rheoliadau Addysg (Gwybodaeth Ysgol) (Cymru) 1999

4. Diwygir Rheoliadau Addysg (Gwybodaeth Ysgol) (Cymru) 1999(**3**) fel a ganlyn–

(a) yn rheoliad 3–

(i) yn lle'r diffiniad o "approved external qualification", rhodder–

""approved relevant qualification" is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**4**);";

(ii) hepgorer y diffiniadau o "AVCE" ac "ASVCE";

(iii) hepgorer y diffiniad o "GNVQ"; a

(iv) yn y diffiniad o "NQF", yn lle "qualifications accredited by" hyd at y diwedd rhodder "relevant qualifications within the meaning of section 30(5) of the Education Act 1997(**5**) which is awarded or authenticated by a body which is recognised by the Welsh Ministers under section 30(1)(e) of that Act in respect of the qualification and "NQF level" means the level or levels set out in the NQF in relation to a relevant qualification;"; a

(**1**) O.S. 1994/652.

(**2**) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

(**3**) O.S. 1999/1812. Yr offerynnau diwygio perthnasol yw O.S. 2004/1736 (Cy.179) ac O.S. 2005/3239 (Cy.244).

(**4**) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

(**5**) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

Amendment of the Education (Special Schools) Regulations 1994

3. The Education (Special Schools) Regulations 1994(**1**) are amended as follows–

(a) in regulation 2(1) insert after the definition of "the 1993 Act"–

""approved relevant qualification" is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**2**); ";

(b) in paragraph 5 of Part 3 of the Schedule, for sub-paragraph (2)(a) substitute–

"(a) a list of the approved relevant qualifications for which courses of study are provided for pupils of compulsory school age at the school;"; and

(c) in paragraph 5(2)(c) of Part 3 of the Schedule, for "external" substitute "approved relevant".

Amendment of the Education (School Information) (Wales) Regulations 1999

4. The Education (School Information) (Wales) Regulations 1999(**3**) are amended as follows–

(a) in regulation 3–

(i) for the definition of "approved external qualification", substitute–

""approved relevant qualification" is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**4**);";

(ii) omit the definitions of "AVCE" and "ASVCE";

(iii) omit the definition of "GNVQ"; and

(iv) in the definition of "NQF", for "qualifications accredited by" to the end substitute "relevant qualifications within the meaning of section 30(5) of the Education Act 1997(**5**) which is awarded or authenticated by a body which is recognised by the Welsh Ministers under section 30(1)(e) of that Act in respect of the qualification and "NQF level" means the level or levels set out in the NQF in relation to a relevant qualification;"; and

(**1**) S.I. 1994/652.

(**2**) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

(**3**) S.I. 1999/1812. Relevant amending instruments are S.I. 2004/1736 (W.179) and S.I. 2005/3239 (W.244).

(**4**) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

(**5**) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

(b) Yn Atodlen 4–

(i) ym mharagraff 5 o Ran 1 hepgorer is-baragraffau (c) a (d);

(ii) ym mharagraffau 7 a 10 o Ran 2, yn lle "external" rhodder "relevant";

(iii) ym mharagraff 16(a) o Ran 2 hepgorer "or AVCE"; a

(iv) ym mharagraff 16(b) o Ran 2 hepgorer "or ASVCE".

Diwygio Rheoliadau Adroddiadau Blynyddol Llywodraethwyr Ysgol (Cymru) 2001

5. Diwygir Rheoliadau Adroddiadau Blynyddol Llywodraethwyr Ysgol (Cymru) 2001(**1**) fel a ganlyn–

(a) yn rheoliad 2–

(i) yn lle'r diffiniad o "cymhwyster allanol a gymeradwywyd" rhodder–

""cymhwyster perthnasol a gymeradwywyd" ("*approved relevant qualification*") yw cymhwyster perthnasol o fewn ystyr adran 30(5) o Ddeddf Addysg 1997(**2**);";

(ii) hepgorer y diffiniadau o "TAAU" a "TAAUG";

(iii) hepgorer y diffiniad o "GNVQ"; a

(iv) yn y diffiniad o "NQF", yn lle "cymwysterau achrededig gan" hyd at y diwedd rhodder "cymwysterau perthnasol o fewn ystyr adran 30(5) o Ddeddf Addysg 1997 a ddyfarnwyd neu a ddilyswyd gan gorff sy'n cael ei gydnabod gan Weinidogion Cymru o dan adran 30(1)(e) o'r Ddeddf honno o ran y cymhwyster ac ystyr "lefel NQF" yw'r lefel neu'r lefelau a osodir yn yr NQF o ran cymhwyster perthnasol;"; a

(b) yn Atodlen 2–

(i) ym mharagraffau 7 a 10 o Ran 2, yn lle "allanol" rhodder "perthnasol";

(ii) ym mharagraff 16(a) o Ran 2 hepgorer "neu TAAU"; a

(iii) ym mharagraff 16(b) o Ran 2 hepgorer "neu TAAUG".

(**1**) O.S. 2001/1110 (Cy.54) fel y'i diwygiwyd gan O.S. 2004/1735 (Cy.178). Mae offerynnau diwygio eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

(b) in Schedule 4–

(i) in paragraph 5 of Part 1 omit sub-paragraphs (c) and (d);

(ii) in paragraphs 7 and 10 of Part 2, for "external" substitute "relevant";

(iii) in paragraph 16(a) of Part 2 omit "or AVCE"; and

(iv) in paragraph 16(b) of Part 2 omit "or ASVCE".

Amendment of the School Governors' Annual Reports (Wales) Regulations 2001

5. The School Governors' Annual Reports (Wales) Regulations 2001(**1**) are amended as follows–

(a) in regulation 2–

(i) for the definition of "approved external qualification" substitute–

""approved relevant qualification" ("*cymhwyster perthnasol a gymeradwywyd*") is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**2**);";

(ii) omit the definitions of "AVCE" and "ASVCE";

(iii) omit the definition of "GNVQ"; and

(iv) in the definition of "NQF", for "qualifications accredited by" to the end substitute "relevant qualifications within the meaning of section 30(5) of the Education Act 1997 which is awarded or authenticated by a body which is recognised by the Welsh Ministers under section 30(1)(e) of that Act in respect of the qualification and "NQF level" means the level or levels set out in the NQF in relation to a relevant qualification;"; and

(b) in Schedule 2–

(i) in paragraphs 7 and 10 of Part 2, for "external" substitute "relevant";

(ii) in paragraph 16(a) of Part 2 omit "or AVCE"; and

(iii) in paragraph 16(b) of Part 2 omit "or ASVCE".

(**1**) S.I. 2001/1110 (W.54) as amended by S.I. 2004/1735 (W.178). There are other amending instruments which are not relevant to these Regulations.

(**2**) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

Diwygio Rheoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) 2004

6. Diwygir Rheoliadau Addysg (Gwybodaeth am Berfformiad Ysgolion) (Cymru) 2004(**1**) fel a ganlyn–

(a) yn lle'r diffiniad o "cymhwyster allanol a gymeradwywyd" yn rheoliad 2(1) rhodder–

""cymhwyster perthnasol a gymeradwywyd" ("*approved relevant qualification*") yw cymhwyster perthnasol o fewn ystyr adran 30(5) o Ddeddf Addysg 1997(**2**);";

(b) yn y diffiniad o "NQF", yn rheoliad 2(1) yn lle "cymwysterau achrededig gan" hyd at y diwedd rhodder "cymwysterau perthnasol o fewn ystyr adran 30(5) o Deddf Addysg 1997 a ddyfarnwyd neu a ddilyswyd gan gorff sy'n cael ei gydnabod gan Weinidogion Cymru o dan adran 30(1)(e) o'r Ddeddf honno o ran y cymhwyster ac ystyr "lefel NQF" yw'r lefel neu'r lefelau a osodir yn yr NQF o ran cymhwyster perthnasol;";

(c) yn y darpariaethau canlynol, yn lle "cymhwyster allanol a gymeradwywyd" ym mhob man lle y mae'r geiriau'n ymddangos rhodder "cymhwyster perthnasol a gymeradwywyd" gan dreiglo yn ôl yr angen–

(i) rheoliad 2(4);

(ii) paragraff 3 o Ran 1 o Atodlen 2; a

(iii) paragraff 6 o Ran 2 o Atodlen 2;

(ch) yn y darpariaethau canlynol, yn lle "cymwysterau allanol a gymeradwywyd" ym mhob man lle y mae'r geiriau'n ymddangos rhodder "cymwysterau perthnasol a gymeradwywyd" gan dreiglo yn ôl yr angen–

(i) rheoliad 2(2)(b);

(ii) y pennawd i Atodlen 2;

(iii) paragraff 2 o Ran 1 o Atodlen 2; a

(iv) paragraff 4 o Ran 2 o Atodlen 2;

(d) ym mhennawd rheoliad 8, yn lle "cymwysterau allanol a gymeradwywyd" rhodder "cymwysterau perthnasol a gymeradwywyd" ac yn y rheoliad, yn lle "cymwysterau" rhodder "cymwysterau perthnasol a gymeradwywyd".

(**1**) O.S. 2004/1025 (Cy.122) fel y'i diwygiwyd gan O.S. 2005/1396 (Cy.110). Mae offerynnau diwygio eraill hefyd ond nid ydynt yn berthnasol.

(**2**) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

Amendment of the Education (School Performance Information) (Wales) Regulations 2004

6. The Education (Schools Performance) (Wales) Regulations 2004(**1**) are amended as follows–

(a) for the definition of "approved external qualification" in regulation 2(1) substitute–

""approved relevant qualification" ("*cymhwyster perthnasol a gymeradwywyd*") is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**2**);";

(b) in the definition of "NQF" in regulation 2(1), for "qualifications accredited by" to the end substitute "relevant qualifications within the meaning of section 30(5) of the Education Act 1997 which is awarded or authenticated by a body which is recognised by the Welsh Ministers under section 30(1)(e) of that Act in respect of the qualification and "NQF level" means the level or levels set out in the NQF in relation to a relevant qualification;";

(c) in the following provisions, for "approved external qualification" in each place the words appear substitute "approved relevant qualification"–

(i) regulation 2(4);

(ii) paragraph 3 of Part 1 of Schedule 2; and

(iii) paragraph 6 of Part 2 of Schedule 2;

(d) in the following provisions, for "approved external qualifications" in each place the words appear substitute "approved relevant qualifications"–

(i) regulation 2(2)(b);

(ii) the heading to Schedule 2;

(iii) paragraph 2 of Part 1 of Schedule 2; and

(iv) paragraph 4 of Part 2 of Schedule 2;

(e) in regulation 8 and its heading, for "approved external qualifications" substitute "approved relevant qualifications".

(**1**) S.I. 2004/1025 (W.122) as amended by S.I. 2005/1396 (W.110). There are other amending instruments also but none is relevant.

(**2**) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

Diwygio Rheoliadau Addysg (Gwybodaeth am Ddisgyblion) (Cymru) 2004

7. Diwygir Rheoliadau Addysg (Gwybodaeth am Ddisgyblion) (Cymru) 2004(1) fel a ganlyn–

(a) yn rheoliad 2(1)–

(i) yn lle'r diffiniad o "cymhwyster allanol a gymeradwywyd" rhodder–

""cymhwyster perthnasol a gymeradwywyd" ("*approved relevant qualification*") yw cymhwyster perthnasol o fewn ystyr adran 30(5) o Ddeddf Addysg 1997(2);";

(ii) hepgorer y diffiniad o "TAAU";

(iii) yn y diffiniad o "y Gronfa Ddata Genedlaethol o Gymwysterau Achrededig", yn lle "yr Awdurdod Cymwysterau a Chwricwlwm" rhodder "y Swyddfa Rheoleiddio Cymwysterau ac Arholiadau";

(iv) yn y diffiniad o "NQF", yn lle "gymwysterau achrededig gan" hyd at y diwedd rhodder "gymwysterau perthnasol o fewn ystyr adran 30(5) o Deddf Addysg 1997 a ddyfarnwyd neu a ddilyswyd gan gorff sy'n cael ei gydnabod gan Weinidogion Cymru o dan adran 30(1)(e) o'r Ddeddf honno o ran y cymhwyster ac ystyr "lefel NQF" yw'r lefel neu'r lefelau a osodir yn yr NQF o ran cymhwyster perthnasol;";

(v) yn y man priodol yn nhrefn yr wyddor mewnosoder–

"ystyr "y gofrestr" ("*the register*") yw'r gofrestr a gynhelir ac a gyhoeddir gan y Swyddfa Rheoleiddio Cymwysterau ac Arholiadau yn unol ag adran 148 o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009(3);"; a

(b) yn rheoliad 7(3)(c), yn lle "gymhwyster allanol a gymeradwywyd" rhodder "gymwysterau perthnasol a gymeradwywyd"; ac

(c) yn rheoliad 7(10)(a), yn lle "cymwysterau allanol a gymeradwywyd" rhodder "cymwysterau perthnasol a gymeradwywyd";

(ch) yn y darpariaethau canlynol, yn lle "cymhwyster allanol a gymeradwywyd" ym mhob man lle y mae'r geiriau'n ymddangos rhodder "cymhwyster perthnasol a gymeradwywyd" gan dreiglo yn ôl yr angen–

(i) rheoliad 9(2)(c) ac (ch);

(1) O.S. 2004/1026 (Cy.123), fel y'i diwygiwyd gan O.S. 2007/3563 (Cy.313). Mae offerynnau diwygio eraill ond nid ydynt yn berthnasol.

(2) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

(3) 2009 p.22. Nid yw adran 148 mewn grym ar adeg gwneud y Rheoliadau hyn.

Amendment of the Education (Pupil Information) (Wales) Regulations 2004

7. The Education (Pupil Information) (Wales) Regulations 2004(1) are amended as follows–

(a) in regulation 2(1)–

(i) for the definition of "approved external qualification" substitute–

""approved relevant qualification" ("*cymhwyster perthnasol a gymeradwywyd*") is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(2);";

(ii) omit the definition of "AVCE";

(iii) in the definition of "the National Database of Accredited Qualifications", for "Qualifications and Curriculum Authority" substitute "Office of Qualifications and Examinations Regulation";

(iv) in the definition of "NQF", for "qualifications accredited by" to the end substitute "relevant qualifications within the meaning of section 30(5) of the Education Act 1997 which is awarded or authenticated by a body which is recognised by the Welsh Ministers under section 30(1)(e) of that Act in respect of the qualification and "NQF level" means the level or levels set out in the NQF in relation to a relevant qualification;";

(v) after the definition of "NQF" insert–

""the register" ("*y gofrestr*") means the register maintained and published by the Office of Qualifications and Examinations Regulation pursuant to section 148 of the Apprenticeships, Skills, Children and Learning Act 2009(3);"; and

(b) in regulation 7(3)(c), for "approved external qualifications" substitute "approved relevant qualifications";

(c) in regulation 7(10)(a), for "approved external qualifications" substitute "approved relevant qualifications";

(d) in the following provisions, for "approved external qualification" in each place the words appear substitute "approved relevant qualification"–

(i) regulation 9(2)(c) and (d);

(1) S.I. 2004/1026 (W.123) as amended by S.I. 2007/3563 (W.313). There are other amending instruments but none is relevant.

(2) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

(3) 2009 c.22. Section 148 is not in force at the time of making these Regulations.

(ii) paragraff 4(3) o Ran 1 o Atodlen 2;

(iii) y pennawd i baragraff 6 o Ran 3 o Atodlen 2;

(iv) paragraff 6(1) a (3) o Atodlen 2; a

(v) paragraff 8(3) o Ran 4 o Atodlen 2;

(d) ym mharagraff 4(1) o Ran 1 o Atodlen 2, yn lle "cymhwyster allanol" rhodder "cymhwyster perthnasol a gymeradwywyd";

(dd) ym mharagraff 4(3) o Ran 1 a pharagraff 6(3) o Ran 3 o Atodlen 2 yn lle "â'r Gronfa Ddata Genedlaethol o Gymwysterau Achrededig" rhodder "â naill ai'r Gronfa Ddata Genedlaethol o Gymwysterau Achrededig neu'r gofrestr".

Diwygio Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfnod Allweddol 4) (Cymru) 2009

8. Diwygir Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfnod Allweddol 4) (Cymru) 2009(**1**) fel a ganlyn–

(a) yn rheoliad 2–

(i) yn y diffiniad o "NQF", yn lle "cymwysterau wedi'u hachredu gan" hyd at y diwedd rhodder "cymwysterau perthnasol o fewn ystyr adran 30(5) o Deddf Addysg 1997 a ddyfarnwyd neu a ddilyswyd gan gorff sy'n cael ei gydnabod gan Weinidogion Cymru o dan adran 30(1)(e) o'r Ddeddf honno o ran y cymhwyster;";

(ii) yn lle'r diffiniad o "lefel NQF" rhodder–

"ystyr "lefel NQF" ("*NQF level*") yw'r lefel neu'r lefelau a osodir yn yr NQF o ran cymhwyster perthnasol;"; a

(iii) yn y man priodol yn nhrefn yr wyddor mewnosoder–

"ystyr "QCF" ("*QCF*") yw'r Fframwaith Cymwysterau a Chredydau sef cymwysterau perthnasol o fewn ystyr adran 30(5) o Ddeddf Addysg 1997 a ddyfarnwyd neu a ddilyswyd gan gorff sy'n cael ei gydnabod gan Weinidogion Cymru o dan adran 30(1)(e) o'r Ddeddf honno o ran y cymhwyster;

ystyr "lefel QCF" ("*QCF level*") yw'r lefel neu'r lefelau a osodir yn y QCF o ran cymhwyster perthnasol;"; a

(b) yn rheoliad 4 ar ôl y geiriau "NQF" ym mhob man lle y maent yn ymddangos mewnosoder "neu QCF".

(**1**) O.S. 2009/3256 (Cy.284) y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(ii) paragraph 4(3) of Part 1 of Schedule 2;

(iii) the heading to paragraph 6 of Part 3 of Schedule 2;

(iv) paragraph 6(1) and (3) of Schedule 2; and

(v) paragraph 8(3) of Part 4 of Schedule 2;

(e) in paragraph 4(1) of Part 1 of Schedule 2, for "approved external qualification" substitute "approved relevant qualification"; and

(f) in paragraph 4(3) of Part 1 and paragraph 6(3) of Part 3 of Schedule 2 for "the National Database of Accredited Qualifications" substitute "either the National Database of Accredited Qualifications or the register".

Amendment of the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009

8. The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009(**1**) are amended as follows–

(a) in regulation 2–

(i) in the definition of "NQF", for "qualifications accredited by" to the end substitute "relevant qualifications within the meaning of section 30(5) of the Education Act 1997 which is awarded or authenticated by a body which is recognised by the Welsh Ministers under section 30(1)(e) of that Act in respect of the qualification;";

(ii) for the definition of "NQF level" substitute–

""NQF level" ("*lefel NQF*") means the level or levels set out in the NQF to relation to a relevant qualification;"; and

(iii) after the definition of "points" insert–

""QCF" ("*QCF*") means the Qualifications and Credit Framework comprising relevant qualifications within the meaning of section 30(5) of the Education Act 1997 which is awarded or authenticated by a body which is recognised by the Welsh Ministers under section 30(1)(e) of that Act in respect of the qualification;

"QCF level" ("*lefel QCF*") means the level or levels set out in the QCF in relation to a relevant qualification;"; and

(b) in regulation 4 after the words "at NQF" in each place they appear insert "or QCF".

(**1**) S.I. 2009/3256 (W.284) to which there are amendments not relevant to these Regulations.

Diwygio Rheoliadau Addysg (Gwybodaeth am Blant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Cymru) 2009

9. Diwygir Rheoliadau Addysg (Gwybodaeth am Blant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Cymru) 2009(**1**), fel a ganlyn–

(a) yn lle'r diffiniad o "cymhwyster allanol a gymeradwywyd" yn rheoliad 2 rhodder–

""cymhwyster perthnasol a gymeradwywyd" ("*approved relevant qualification*") yw cymhwyster perthnasol o fewn ystyr adran 30(5) o Ddeddf Addysg 1997(**2**);"; a

(b) ym mharagraff 6 o Atodlen 2 yn lle "chymhwyster allanol a gymeradwywyd" rhodder "chymhwyster perthnasol a gymeradwywyd".

Amendment of the Education (Information About Children in Alternative Provision) (Wales) Regulations 2009

9. The Education (Information About Children in Alternative Provision) (Wales) Regulations 2009(**1**), are amended as follows–

(a) for the definition of "approved external qualification" in regulation 2 substitute–

""approved relevant qualification" ("*cymhwyster perthnasol a gymeradwywyd*") is a relevant qualification within the meaning of section 30(5) of the Education Act 1997(**2**);"; and

(b) in paragraph 6 of Schedule 2 for "approved external qualification" substitute "approved relevant qualification".

Leighton Andrews

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

4 Hydref 2010

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

4 October 2010

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(**1**) O.S. 2009/3355 (Cy.294) y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) 1997 p.44. Amnewidiwyd is-adran (5) o adran 30 gan baragraff 15(6) o Atodlen 12 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

(**1**) S.I. 2009/3355 (W.294) to which there are amendments not relevant to these Regulations.

(**2**) 1997 c.44. Sub-section (5) of section 30 was substituted by paragraph 15(6) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009.

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