OFFERYNNAU STATUDOL CYMRU

2012 Rhif 167 (Cy.26)

ADDYSG, CYMRU

Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau Ychwanegol) (Diwygio) 2012

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau Ychwanegol) 2000 ("Gorchymyn 2000"), o ganlyniad i Ddeddf Addysg 2011 ("Deddf 2011") sy'n darparu ar gyfer diddymu Cyngor Addysgu Cyffredinol Lloegr ("CACLl") ac yn darparu mewn perthynas â gwahardd personau rhag cyflawni gwaith addysgu.

Mae erthygl 2(2) yn diwygio Rhan II o'r Atodlen i Orchymyn 2000 drwy ychwanegu paragraff 22B newydd sy'n darparu y bydd Cyngor Addysgu Cyffredinol Cymru ("y Cyngor") yn cynnwys yn ei gofnodion delerau unrhyw orchymyn gwahardd sydd wedi'i wneud gan yr Ysgrifennydd Gwladol o dan adran 141B o Ddeddf Addysg 2002 ("Deddf 2002") yn gwahardd person rhag cyflawni gwaith addysgu. Mewnosodir adran 141B yn Neddf 2002 gan Ddeddf 2011.

Mae erthygl 2(2) hefyd yn diwygio paragraffau 23A a 23B o Ran II o'r Atodlen er mwyn dileu cyfeiriadau at CACLl.

WELSH STATUTORY INSTRUMENTS

2012 No. 167 (W.26)

EDUCATION, WALES

The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2012

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the General Teaching Council for Wales (Additional Functions) Order 2000 ("the 2000 Order"), as a consequence of the Education Act 2011 ("the 2011 Act") which provides for the abolition of the General Teaching Council for England ("the GTCE") and makes provision in relation to the prohibition of persons from carrying out teaching work.

Article 2(2) amends Part II of the Schedule to the 2000 Order by adding a new paragraph 22B which provides that the General Teaching Council for Wales ("the Council") will include in its records the terms of any prohibition order made by the Secretary of State under section 141B of the Education Act 2002 ("the 2002 Act") prohibiting a person from carrying out teaching work. Section 141B is inserted into the 2002 Act by the 2011 Act.

Article 2(2) also amends paragraphs 23A and 23B of Part II of the Schedule to remove references to the GTCE.

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2012 Rhif 167 (Cy.26)

ADDYSG, CYMRU

Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau Ychwanegol) (Diwygio) 2012

Gwnaed *20 Ionawr 2012*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *26 Ionawr 2012*

Yn dod i rym yn unol â rheoliad 1(2)

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 7(1) a (4) a 42(6) a (7) o Ddeddf Addysgu ac Addysg Uwch 1998(**1**) ac sydd bellach wedi eu breinio ynddynt hwy(**2**), gan eu bod o'r farn y caiff Cyngor Addysgu Cyffredinol Cymru, o ystyried eu hamcanion cyffredinol, gyflawni'n briodol y swyddogaethau ychwanegol a roddir yn y Gorchymyn hwn ac, yn unol ag adran 7(2), wedi iddynt gyflawni pa bynnag ymgynghori yr ymddengys iddynt ei fod yn briodol:

Enwi a chychwyn

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau Ychwanegol) (Diwygio) 2012.

(2) Daw erthygl 2(2)(b) ac (c) o'r Gorchymyn hwn i rym ar y diwrnod y daw adran 7 o Ddeddf Addysg 2011(**3**) i rym, a daw erthygl 2(2)(a) i rym ar y diwrnod y daw adran 8 o'r Ddeddf honno i rym.

(**1**) 1998 p. 30. Mae'r darpariaethau perthnasol yn gymwys o ran Cyngor Addysgu Cyffredinol Cymru yn rhinwedd adrannau 8 a 9 o'r Ddeddf a 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**) 2011 p. 21.

WELSH STATUTORY INSTRUMENTS

2012 No. 167 (W.26)

EDUCATION, WALES

The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2012

Made *20 January 2012*

Laid before the National Assembly for Wales *26 January 2012*

Coming into force in accordance with regulation 1(2)

The Welsh Ministers make the following Order in exercise of the powers conferred upon the Secretary of State by sections 7(1) and (4) and 42(6) and (7) of the Teaching and Higher Education Act 1998(**1**) and now vested in them(**2**), being of the opinion that the General Teaching Council for Wales may, having regard to their general objectives, appropriately discharge the additional functions conferred in this Order and, in accordance with section 7(2), having carried out such consultation as appears to them to be appropriate:

Title and commencement

1.—(1) The title of this Order is the General Teaching Council for Wales (Additional Functions) (Amendment) Order 2012.

(2) Article 2(2)(b) and (c) of this Order comes into force on the day that section 7 of the Education Act 2011(**3**) comes into force and article 2(2)(a) comes into force on the day that section 8 of that Act comes into force.

(**1**) 1998 c. 30. The relevant provisions apply in relation to the General Teaching Council for Wales by virtue of sections 8 and 9 of the Act and the General Teaching Council for Wales Order 1998 (S.I. 1998/2911).

(**2**) The Secretary of State's functions 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**) 2011 c. 21.

Diwygio Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau Ychwanegol) 2000

2.—(1) Diwygir Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau Ychwanegol) 2000(**1**) fel a ganlyn.

(2) Yn Rhan II o'r Atodlen,

(a) ar ôl paragraff 22A, mewnosoder y canlynol—

"**22B**

Telerau unrhyw orchymyn gwahardd sydd mewn grym am y tro mewn perthynas â'r person ac sydd wedi'i wneud gan yr Ysgrifennydd Gwladol o dan adran 141B o Ddeddf Addysg 2002.".

(b) ym mharagraff 23A, hepgorer y geiriau "neu gan Gyngor Addysgu Cyffredinol Lloegr".

(c) ym mharagraff 23B, hepgorer y geiriau "neu gan Gyngor Addysgu Cyffredinol Lloegr".

Amendment of the General Teaching Council for Wales (Additional Functions) Order 2000

2.—(1) The General Teaching Council for Wales (Additional Functions) Order 2000(**1**) is amended as follows.

(2) In Part II of the Schedule,

(a) after paragraph 22A insert the following—

"**22B**

The terms of any prohibition order for the time being in force in relation to the person made by the Secretary of State under section 141B of the Education Act 2002.".

(b) in paragraph 23A omit the words "or the General Teaching Council for England".

(c) in paragraph 23B omit the words "or the General Teaching Council for England".

Leighton Andrews

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

Minister for Education and Skills, one of the Welsh Ministers

20 Ionawr 2012

20 January 2012

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(**1**) O.S. 2000/1941 (Cy. 139) fel y'i diwygiwyd gan O.S. 2001/2497 (Cy. 201), O.S. 2005/68 (Cy. 6), O.S. 2006/1341 (Cy. 132), O.S. 2009/1351 (Cy. 127) ac O.S. 2010/1142 (Cy. 101).

(**1**) S.I. 2000/1941 (W. 139) as amended by S.I. 2001/2497 (W. 201), S.I. 2005/68 (W. 6), S.I. 2006/1341 (W. 132), S.I. 2009/1351 (W. 127) and S.I. 2010/1142 (W. 101).

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ADDYSG, CYMRU

Gorchymyn Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau Ychwanegol) (Diwygio) 2012

WELSH STATUTORY INSTRUMENTS

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EDUCATION, WALES

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