OFFERYNNAU STATUDOL CYMRU

2012 Rhif 169 (Cy.28)

ADDYSG, CYMRU

Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) (Diwygio) 2012

NODYN ESBONIADOL

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

Mae Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) 1999, ("Rheoliadau 1999") yn darparu ar gyfer cyfansoddiad Cyngor Addysgu Cyffredinol Cymru ("y Cyngor"). Mae'r Rheoliadau hyn yn diwygio Rheoliadau 1999 o ganlyniad i Ddeddf Addysg 2011 ("Deddf 2011"), sy'n darparu ar gyfer diddymu Cyngor Addysgu Cyffredinol Lloegr ac yn darparu mewn perthynas â gwahardd personau rhag cyflawni gwaith addysgu.

Diwygir rheoliad 5(2)(a) o Reoliadau 1999 i ddarparu ynghylch person sy'n destun gorchymyn gwahardd sydd wedi'i wneud gan yr Ysgrifennydd Gwladol o dan adran 141B o Ddeddf Addysg 2002 ("Deddf 2002"). Mae'r diwygiad yn darparu ynghylch cymhwyster person o'r fath ar gyfer cael ei ethol yn aelod o'r Cyngor, ar gyfer cael ei benodi'n aelod o dan reoliadau 7, 8 neu 11, ac ar gyfer pleidleisio mewn etholiad am aelodau etholedig o dan gynllun sydd wedi'i wneud o dan reoliad 6. Mewnosodir adran 141B yn Neddf 2002 gan Ddeddf 2011.

Diwygir rheoliad 10(5)(a) o Reoliadau 1999 fel bod darpariaeth yn cael ei hychwanegu drwy'r hon y bydd aelod o'r Cyngor yn peidio â dal y swydd os bydd cyflogaeth y person hwnnw'n destun gorchymyn gwahardd sydd wedi'i wneud gan yr Ysgrifennydd Gwladol o dan adran 141B o Ddeddf 2002.

WELSH STATUTORY INSTRUMENTS

2012 No. 169 (W.28)

EDUCATION, WALES

The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2012

EXPLANATORY NOTE

(This note is not part of the Regulations)

The General Teaching Council for Wales (Constitution) Regulations 1999, ("the 1999 Regulations") provide for the constitution of the General Teaching Council for Wales ("the Council"). These Regulations amend the 1999 Regulations as a consequence of the Education Act 2011 ("the 2011 Act"), which provides for the abolition of the General Teaching Council for England and makes provision in relation to the prohibition of persons from carrying out teaching work.

Regulation 5(2)(a) of the 1999 Regulations is amended to make provision about a person who is subject to a prohibition order made by the Secretary of State under section 141B of the Education Act 2002 ("the 2002 Act"). The amendment makes provision about their eligibility for election as a member of the Council, to be appointed a member under regulations 7, 8 or 11 and to vote in an election for elected members under a scheme made under regulation 6. Section 141B is inserted into the 2002 Act by the 2011 Act.

Regulation 10(5)(a) of the 1999 Regulations is amended so that a provision is added whereby a member of the Council will cease to hold office if that person's employment is subject to a prohibition order made by the Secretary of State under section 141B of the 2002 Act.

OFFERYNNAU STATUDOL CYMRU

2012 Rhif 169 (Cy.28)

ADDYSG, CYMRU

Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) (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 Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1(5) a (7) a 42(6) a (7) o Ddeddf Addysgu ac Addysg Uwch 1998(**1**) a pharagraff 3 o Atodlen 1 iddi, ac sydd bellach yn arferadwy ganddynt hwy(**2**), ac ar ôl ymgynghori â Chyngor Addysgu Cyffredinol Cymru yn unol ag adran 42(9) o'r Ddeddf honno:

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) (Diwygio) 2012.

(2) Daw'r Rheoliadau hyn i rym ar y diwrnod y daw adran 8 o Ddeddf Addysg 2011(**3**) i rym.

(**1**) 1998 p. 30.

(**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. 169 (W.28)

EDUCATION, WALES

The General Teaching Council for Wales (Constitution) (Amendment) Regulations 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 Regulations in exercise of the powers conferred on the Secretary of State by sections 1(5) and (7) and 42(6) and (7) of, and paragraph 3 of Schedule 1 to, the Teaching and Higher Education Act 1998(**1**), and now exercisable by them(**2**), and having consulted the General Teaching Council for Wales in accordance with section 42(9) of that Act:

Title and commencement

1.—(1) The title of these Regulations is the General Teaching Council for Wales (Constitution) (Amendment) Regulations 2012.

(2) These Regulations come into force on the day that section 8 of the Education Act 2011(**3**) comes into force.

(**1**) 1998 c.30.

(**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 Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) 1999

2.—(1) Diwygir Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) 1999(**1**) fel a ganlyn.

(2) Yn rheoliad 5(2)(a), yn lle'r geiriau "the Education Act 2002 or the person is barred", rhodder "the Education Act 2002, the person is barred", ac ar ddiwedd y rheoliad ychwaneger y geiriau a ganlyn—

"or the person's employment as a teacher is prohibited under the terms of a prohibition order made by the Secretary of State under section 141B of the Education Act 2002.".

(3) Yn rheoliad 10(5)(a), yn lle'r geiriau "the Education Act 2002 or the person is barred", rhodder "the Education Act 2002, the person is barred", ac ar ddiwedd y rheoliad ychwaneger y geiriau a ganlyn—

"or the person's employment as a teacher is prohibited under the terms of a prohibition order made by the Secretary of State under section 141B of the Education Act 2002.".

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

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

(2) In regulation 5(2)(a) for the words "the Education Act 2002 or the person is barred" substitute "the Education Act 2002, the person is barred" and at the end of the regulation add the following words—

"or the person's employment as a teacher is prohibited under the terms of a prohibition order made by the Secretary of State under section 141B of the Education Act 2002.".

(3) In regulation 10(5)(a) for the words "the Education Act 2002 or the person is barred" substitute "the Education Act 2002, the person is barred" and at the end of the regulation add the following words—

"or the person's employment as a teacher is prohibited under the terms of a prohibition order made by the Secretary of State under section 141B of the Education Act 2002.".

Leighton Andrews

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

20 Ionawr 2012

Minister for Education and Skills, one of the Welsh Ministers

20 January 2012

©ⓗ Hawlfraint y Goron 2012

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2012

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(**1**) O.S. 1999/1619 fel y'i diwygiwyd gan O.S. 1999/3185 (Cy. 43), O.S. 2003/389 (Cy. 51), O.S. 2005/3238 (Cy. 243), O.S. 2007/812 (Cy. 69), O.S. 2009/1352 (Cy. 128) ac O.S. 2010/1142 (Cy. 101).

(**1**) S.I. 1999/1619 as amended by S.I. 1999/3185 (W. 43), S.I. 2003/389 (W. 51), S.I. 2005/3238 (W. 243), S.I. 2007/812 (W. 69), S.I. 2009/1352 (W. 128) and S.I. 2010/1142 (W. 101).

OFFERYNNAU STATUDOL CYMRU

2012 Rhif 169 (Cy.28)

ADDYSG, CYMRU

Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Cyfansoddiad) (Diwygio) 2012

WELSH STATUTORY INSTRUMENTS

2012 No. 169 (W.28)

EDUCATION, WALES

The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2012

£4.00

W1163/02/12 ON