



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 3141 (Cy. 314)

2013 No. 3141 (W. 314)

ADDYSG, CYMRU

EDUCATION, WALES

**Gorchymyn y Cod Apelau Derbyn
Ysgol (Diwrnod Penodedig)
(Cymru) 2013**

**The School Admission Appeals
Code (Appointed Day) (Wales)
Order 2013**

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn pennu 1 Ionawr 2014 fel y diwrnod y daw'r Cod Apelau Derbyn Ysgol ("y Cod Apelau") a ddyroddwyd gan Weinidogion Cymru o dan adrannau 84 a 85 o Ddeddf Safonau a Fframwaith Ysgolion 1998 ("DSFFY 1998") i rym. Mae'r Cod Apelau yn gymwys o ran Cymru.

Mae'r Cod Apelau yn disodli'r Cod Apelau Derbyn Ysgol a ddaeth i rym ar 15 Gorffennaf 2009. Mae'r Cod Apelau yn adlewyrchu'r newidiadau a wnaed i DSFFY 1998 ers y dyddiad hwnnw.

Mae'r Cod newydd yn gosod gofynion ac yn cynnwys canllawiau sy'n nodi nodau, amcanion a materion eraill mewn perthynas â'r trefniadau ar gyfer apelau mewn perthynas â derbyn i ysgolion. O dan adran 84(3) o DSFFY 1998, dyletswydd awdurdodau lleol, cyrff llywodraethu ysgolion a gynhelir, fforymau derbyn a phaneli apêl, wrth arfer swyddogaethau o dan Bennod 1 o Ran 3 o DSFFY 1998, yw gweithredu yn unol ag unrhyw ddarpariaethau perthnasol yn y Cod. Yn ogystal, rhaid i unrhyw berson arall, wrth arfer unrhyw swyddogaeth at ddiben cyflawni swyddogaethau gan awdurdod lleol neu gorff llywodraethu ysgol a gynhelir o dan y Bennod honno, weithredu yn unol ag unrhyw ddarpariaethau perthnasol yn y Cod.

Y prif newidiadau a gyflwynir gan y Cod yw:

- (a) bod rhaid i awdurdodau derbyn sicrhau bod pob aelod o'r panel yn cael hyfforddiant bob tair blynedd;
- (b) y caiff awdurdodau derbyn, wrth gynnal apelau, ddefnyddio eu hadeiladau eu hunain os oes angen ar yr amod eu bod o bellter addas o waith yr awdurdod derbyn; ac

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 1 January 2014 as the day on which the School Admission Appeals Code ("the Appeals Code") issued under sections 84 and 85 of the School Standards and Framework Act 1998 ("the SSFA 1998") by the Welsh Ministers comes into force. The Appeals Code applies in relation to Wales.

The Appeals Code replaces the School Admission Appeals Code which came into force on 15 July 2009. The Appeals Code reflects changes made to the SSFA 1998 since that date.

The new Code imposes requirements and includes guidelines setting out aims, objectives and other matters in relation to the arrangements for appeals in relation to admission to schools. Under section 84(3) of the SSFA 1998, it is the duty of local authorities, the governing bodies of maintained schools, admission forums and appeal panels when exercising functions under Chapter 1 of Part 3 of the SSFA 1998 to act in accordance with any relevant provisions of the Code. In addition, any other person, when exercising any function for the purpose of the discharge by a local authority or the governing body of a maintained school of functions under that Chapter, must act in accordance with any relevant provisions of the Code.

The main changes introduced by the Code are:

- (a) admission authorities must ensure that all panel members receive training every three years;
- (b) when holding appeals, admission authorities may utilise their own buildings if necessary providing this is suitably distanced from the work of the admission authority; and

(c) bod rhaid i aelodau'r panel ystyried a yw'r trefniadau derbyn yn cydymffurfio â Rhan 3 o DSFFY 1998 a'r Cod Derbyniadau Ysgol.

(c) panel members must consider whether the admission arrangements comply with the Part 3 of the SSFA 1998 and the Code on School Admissions.

Daw'r Cod Apelau i rym ar 1 Ionawr 2014 ac mae'n gymwys i bob apêl y gwrandewir arni ar neu ar ôl y dyddiad hwnnw. Mae Cod Apelau Derbyn Ysgol 2009 yn gymwys i apelau y gwrandewir arnynt cyn y dyddiad hwnnw.

The Appeals Code comes into force on 1 January 2014 and applies to all appeals heard on or after that date. The 2009 School Admission Appeals Code applies to appeals heard before that date.

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Gwnaed

10 Rhagfyr 2013

Made

10 December 2013

Mae Gweinidogion Cymru, drwy arfer y pŵer a roddwyd i'r Ysgrifennydd Gwladol gan adran 85(5) o Ddeddf Safonau a Fframwaith Ysgolion 1998 ac sydd bellach wedi ei freinio ynddynt hwy(1) yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers in exercise of the power conferred on the Secretary of State by section 85(5) of the School Standards and Framework Act 1998 and now vested in them(1) make the following Order:

Enwi a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn y Cod Apelau Derbyn Ysgol (Diwrnod Penodedig) (Cymru) 2013.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

Title and application

1.—(1) The title of this Order is the School Admission Appeals Code (Appointed Day) (Wales) Order 2013.

(2) This Order applies in relation to Wales.

Diwrnod Penodedig

2. Y diwrnod a bennir fel y diwrnod y daw'r Cod Apelau Derbyn Ysgol (y gosodwyd copi o ddrafft ohono gerbron Cynulliad Cenedlaethol Cymru ar 4 Hydref 2013) i rym yw 1 Ionawr 2014.

Appointed Day

2. The day appointed for the coming into force of the School Admission Appeals Code (a copy of a draft of which was laid before the National Assembly for Wales on 4 October 2013) is 1 January 2014.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion
Cymru

Minister for Education and Skills, one of the Welsh
Ministers

10 Rhagfyr 2013

10 December 2013

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(1) 1998 p.31. Trosglwyddwyd swyddogaeth yr Ysgrifennydd Gwladol o dan yr adran hon 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 (p.32).

(1) 1998 c.31. The function of the Secretary of State under this section was 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 paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

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