



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2015 Rhif 195 (Cy. 10)**

**2015 No. 195 (W. 10)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Rheoliadau Cyngor y Gweithlu  
Addysg (Ffioedd Cofrestru)  
(Cymru) 2015**

**The Education Workforce Council  
(Registration Fees) (Wales)  
Regulations 2015**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Regulations)*

Ailenwodd adran 2 o Ddeddf Addysg (Cymru) 2014 (“Deddf 2014”) Gyngor Addysgu Cyffredinol Cymru. Yr enw newydd yw Cyngor y Gweithlu Addysg (“y Cyngor”).

The General Teaching Council for Wales was renamed the Education Workforce Council (“the Council”) by section 2 of the Education (Wales) Act 2014 (“the 2014 Act”).

Mae adran 12 o Ddeddf 2014 yn caniatáu i Weinidogion Cymru wneud rheoliadau mewn perthynas â'r ffioedd sy'n daladwy mewn cysylltiad â chofrestru yn y gofrestr a sefydlir ac a gynhelir gan y Cyngor o dan adran 9 o Ddeddf 2014 (“y Gofrestr”).

Section 12 of the 2014 Act allows the Welsh Ministers to make regulations in relation to the fees payable in connection with registration in the register established and maintained by the Council under section 9 of the 2014 Act (“the Register”).

Nodir y ffioedd sy'n daladwy yn rheoliad 3 sy'n darparu mai £45 yw'r ffi sy'n daladwy gan athrawon ysgol ac athrawon addysg bellach ar gyfer y cyfnod sy'n dechrau ar 1 Ebrill 2015 ac sy'n dod i ben ar 31 Mawrth 2016. Mae rheoliad 3 hefyd yn darparu y caiff Gweinidogion Cymru bennu'r swm a roddir tuag at y ffioedd cofrestru hynny ac yn ei gwneud yn ofynnol iddynt gyhoeddi'r swm hwnnw ar wefan Llywodraeth Cymru.

The fees payable are set out in regulation 3 which provides that for both school teachers and further education teachers the fee payable for the period commencing on 1 April 2015 and ending on 31 March 2016 is £45. Regulation 3 also provides that the Welsh Ministers may determine the amount by which those registration fees will be subsidised and requires them to publish the amount of that subsidy on the Welsh Government website.

Mae rheoliad 4 yn darparu bod rhaid i gyflogwr, ar gais y Cyngor, gyflenwi i'r Cyngor yr wybodaeth a nodir yn Atodlen 2, pan fo'n cyflogi person y mae'n ofynnol iddo gael ei gofrestru.

Regulation 4 provides that an employer must on request by the Council supply the Council with the information set out in Schedule 2 where they employ a person who is required to be registered.

Mae rheoliad 5 yn ei gwneud yn ofynnol i gyflogwr sydd wedi cael ei hysbysu gan y Cyngor ddi-dynnu ffi gofrestru o gyflog athro neu athrawes ysgol neu athro neu athrawes addysg bellach; ac mae rheoliad 6 yn ei gwneud yn ofynnol i'r cyflogwr ei thalu i'r Cyngor o fewn 14 diwrnod.

Regulation 5 requires an employer who has been notified by the Council to deduct a registration fee from a school teacher's or further education teacher's salary; and regulation 6 requires the employer to remit it to the Council within 14 days.

Mae rheoliad 7 yn ei gwneud yn ofynnol i'r cyflogwr gyflenwi i'r Cyngor yr wybodaeth yn Atodlen 2 mewn cysylltiad â'r person y telir y ffi iddo wrth dalu'r ffi iddo.

Regulation 7 requires the employer to supply to the Council the information in Schedule 2 in respect of the person to whom the fee is remitted when remitting the fee to them.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth yr Is-adran Safonau Ymarferwyr a Datblygu Proffesiynol yn yr Adran Addysg a Sgiliau.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Practitioner Standards and Professional Development Division in the Department for Education and Skills.

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*Gwnaed* 10 Chwefror 2015  
*Yn dod i rym* 1 Ebrill 2015

*Made* 10 February 2015  
*Coming into force* 1 April 2015

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 12, 36 a 47(1) a (2) o Ddeddf Addysg (Cymru) 2014(1) yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred upon them by sections 12, 36 and 47(1) and (2) of the Education (Wales) Act 2014(1) make the following Regulations.

Yn unol ag adran 47(2) o Ddeddf Addysg (Cymru) 2014, gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad.

In accordance with section 47(2) of the Education (Wales) Act 2014 a draft of these Regulations was laid before the National Assembly for Wales and approved by a resolution of the National Assembly for Wales.

**Enwi, cychwyn, cymhwyso a dirymu**

**Title, commencement, application and revocation**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyngor y Gweithlu Addysg (Ffioedd Cofrestru) (Cymru) 2015 a deuant i rym ar 1 Ebrill 2015.

1.—(1) The title of these Regulations is the Education Workforce Council (Registration Fees) (Wales) Regulations 2015 and they come into force on 1 April 2015.

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

(2) These Regulations apply in relation to Wales.

(3) Mae'r rheoliadau a nodir yn Atodlen 1 wedi eu dirymu.

(3) The regulations set out in Schedule 1 are revoked.

**Dehongli**

**Interpretation**

2. Yn y Rheoliadau hyn—

2. In these Regulations—

ystyr “Cofrestr” (“*Register*”) yw'r gofrestr a sefydlir ac a gynhelir o dan adran 9 o Ddeddf 2014; ac ystyr “cofrestru” (“*registration*”) yw cofrestru yn y Gofrestr;

“the 2014 Act” (“*Deddf 2014*”) means the Education (Wales) Act 2014;

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(1) 2014 dccc 5.

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(1) 2014 anaw 5.

ystyr “cyflogwr” (“*employer*”) yw person sy’n cyflogi person cofrestredig i ddarparu gwasanaethau perthnasol neu’n ei gymryd ymlaen i ddarparu gwasanaethau perthnasol;

ystyr “Deddf 2014” (“*the 2014 Act*”) yw Deddf Addysg (Cymru) 2014;

ystyr “dyddiad hysbysu” (“*notification date*”) yw’r dyddiad yr hysbysir cyflogwr amdano gan y Cyngor fel y dyddiad y daw’r ffi yn daladwy; ac

ystyr “ffi” (“*fee*”) yw unrhyw ffi sy’n daladwy yn rhinwedd adran 12 o Ddeddf 2014.

“employer” (“*cyflogwr*”) means a person who employs or engages a registered person to provide relevant services;

“fee” (“*ffi*”) means any fee payable by virtue of section 12 of the 2014 Act;

“notification date” (“*dyddiad hysbysu*”) means the date notified to an employer by the Council as being the date upon which the fee becomes payable; and

“Register” (“*Cofrestr*”) means the register established and maintained under section 9 of the 2014 Act; and “registration” (“*cofrestru*”) means registration on the Register.

### **Swm y ffi gofrestru sy’n daladwy**

3.—(1) Y ffioedd sy’n daladwy ar gyfer y cyfnod sy’n dechrau ar 1 Ebrill 2015 ac sy’n dod i ben ar 31 Mawrth 2016 yw—

- (a) £45 i athrawon ysgol; a
- (b) £45 i athrawon addysg bellach.

(2) Mae swm a bennir gan Weinidogion Cymru o dro i dro i’w dalu tuag at y ffioedd sy’n daladwy yn unol â pharagraff (1).

(3) Rhaid i swm unrhyw gymhorthdal a bennir gan Weinidogion Cymru yn unol â pharagraff (2) gael ei gyhoeddi ar wefan Llywodraeth Cymru.

(4) Caiff y Cyngor wneud darpariaeth—

- (a) i godi ac adennill ffioedd a bennir gan Weinidogion Cymru mewn cysylltiad â—
  - (i) ceisiadau i gofrestru neu i ailosod cofnodion yn y Gofrestr; a
  - (ii) cadw cofnodion yn y Gofrestr; a
- (b) fel bod eithriadau ac esemptiadau pan na chodir ffioedd.

### **Yr wybodaeth sydd i’w chyflenwi gan gyflogwr i’r Cyngor ar gais**

4. Os gwneir cais gan y Cyngor, rhaid i gyflogwr roi’r manylion a bennir yn Atodlen 2 iddo am unrhyw berson a gyflogir gan y cyflogwr hwnnw ar ddyddiad a bennir gan y Cyngor ac y mae’n ofynnol iddo gael ei gofrestru yn rhinwedd rheoliadau a wneir o dan adrannau 14 i 16 o Ddeddf 2014.

### **Didynnu ffi**

5.—(1) Rhaid i gyflogwr person y mae’r rheoliad hwn yn gymwys iddo sicrhau bod y ffi yn cael ei didynnu o’r cyflog a delir i’r person hwnnw yn union ar ôl y dyddiad hysbysu.

### **Amount of registration fee payable**

3.—(1) The fees payable for the period commencing on 1 April 2015 and ending on 31 March 2016 are—

- (a) £45 for school teachers; and
- (b) £45 for further education teachers.

(2) The fees payable pursuant to paragraph (1) are to be subsidised by such amount as may be determined by the Welsh Ministers from time to time.

(3) The amount of any subsidy determined by the Welsh Ministers in accordance with paragraph (2) must be published on the Welsh Government website.

(4) The Council may make provision—

- (a) to charge and recover fees determined by the Welsh Ministers in respect of—
  - (i) applications for registration or for the restoration of entries in the Register; and
  - (ii) the retention of entries in the Register; and
- (b) for there to be exceptions and exemptions where fees are not charged.

### **Information to be supplied by an employer to the Council on request**

4. An employer must notify the Council upon request of the details specified in Schedule 2 of any person who is employed by that employer on a date specified by the Council and who is required to be registered by virtue of regulations made under sections 14 to 16 of the 2014 Act.

### **Deduction of fee**

5.—(1) The employer of a person to whom this regulation applies must secure that the fee is deducted from the payment of salary made to that person immediately following the notification date.

(2) Mae'r rheoliad hwn yn gymwys i berson y mae'r cyflogwr wedi cael hysbysiad ("hysbysiad talu") gan y Cyngor mewn cysylltiad ag ef, sy'n ei gwneud yn ofynnol iddo sicrhau bod y ffi yn cael ei didynnu o gyflog y person hwnnw.

(3) Rhaid i hysbysiad talu bennu'r swm sydd i'w ddidynnu o'r cyflog gan ystyried swm y cymhorthdal a bennir yn unol â rheoliad 3(2).

(4) Dim ond os yw'r Cyngor wedi ei fodloni nad yw'r person y dyroddir yr hysbysiad mewn cysylltiad ag ef eisoes wedi talu'r ffi ar y dyddiad hysbysu ac—

- (a) bod y person wedi ei gofrestru yn y Gofrestr, neu
- (b) ei bod yn ofynnol i'r person gael ei gofrestru felly yn rhinwedd rheoliadau a wneir o dan adrannau 14 i 16 o Ddeddf 2014,

y caniateir i hysbysiad talu gael ei ddyroddi i gyflogwr.

#### **Talu ffioedd i'r Cyngor**

6. Rhaid i'r cyflogwr, o fewn 14 diwrnod i'r ffi gael ei didynnu yn unol â rheoliad 5 dalu'r ffi honno i'r Cyngor.

#### **Yr wybodaeth sydd i'w chyflenwi i'r Cyngor gan y cyflogwr gyda'r ffi**

7. Wrth dalu'r ffi, rhaid i'r cyflogwr roi i'r Cyngor y manylion a bennir yn Atodlen 2 am y person y telir y ffi mewn perthynas ag ef.

#### **Methu â chyflawni dyletswydd**

8. Os nad yw person yn cyflawni dyletswydd o fewn terfyn amser a bennir yn y Rheoliadau hyn, nid yw hynny'n rhyddhau'r person hwnnw o'r ddyletswydd honno.

(2) This regulation applies to a person in respect of whom the employer has received notice ("a payment notice") from the Council that they are required to secure that the fee is deducted from that person's salary.

(3) A payment notice must specify the amount to be deducted taking into account the amount of subsidy determined in accordance with regulation 3(2).

(4) A payment notice may be issued to an employer only if the Council is satisfied that on the notification date the person in respect of whom the notice is issued has not already paid the fee and is—

- (a) registered on the Register, or
- (b) required to be so registered by virtue of regulations made under sections 14 to 16 of the 2014 Act.

#### **Remittance of fees to the Council**

6. The employer must within 14 days of the fee being deducted in accordance with regulation 5 remit that fee to the Council.

#### **Information to be supplied to the Council by the employer with the fee**

7. When remitting the fee the employer must notify the Council of the details specified in Schedule 2 of the person in relation to whom the fee is remitted.

#### **Failure to discharge duty**

8. Failure by a person to discharge a duty within a time limit specified in these Regulations does not relieve that person of that duty.

*Huw Lewis*

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

10 Chwefror 2015

Minister for Education and Skills, one of the Welsh Ministers

10 February 2015

ATODLEN 1 Rheoliad 1

SCHEDULE 1 Regulation 1

Y RHEOLIADAU A DDIRYMIR

REGULATIONS REVOKED

<i>Y rheoliadau a ddirymir</i>	<i>Cyfeiriadau</i>	<i>Graddau'r dirymu</i>	<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Swyddogaethau) 2000	O.S. 2000/1979 (Cy. 140)	Rheoliad 9	General Teaching Council for Wales (Functions) Regulations 2000	S.I. 2000/1979 (W. 140)	Regulation 9
Rheoliadau Cyngor Addysgu Cyffredinol Cymru (Ffioedd) 2002	O.S. 2002/326 (Cy. 39)	Yn llawn	General Teaching Council for Wales (Fees) Regulations 2002	S.I. 2002/326 (W. 39)	Fully

## ATODLEN 2 Rheoliad 4

### YR WYBODAETH SYDD I'W CHYFLENWI I'R CYNGOR

1. Enw llawn y person.
2. Os yw'n hysbys, unrhyw enw a fu gan y person gynt.
3. Pa un yw'r person yn wryw neu'n fenyw.
4. Y rhif cofrestru swyddogol, os oes un, a neilltuwyd i'r person.
5. Enw'r ysgol neu'r sefydliad y mae'r person yn cael ei gyflogi ynddo.
6. Rhif yswiriant gwladol y person.
7. Cyfeiriad cartref neu gyfeiriad cyswllt arall y person.
8. Dyddiad geni'r person.
9. Rhif ffôn a chyfeiriad post electronig y person (os ydynt ar gael).

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## SCHEDULE 2 Regulation 4

### INFORMATION TO BE SUPPLIED TO THE COUNCIL

1. The full name of the person.
2. If known, any name by which the person was formerly known.
3. Whether the person is male or female.
4. The official registration number, if any, assigned to the person.
5. The name of the school or institution at which the person is employed.
6. The person's national insurance number.
7. The person's home address or other contact address.
8. The person's date of birth.
9. The person's telephone number and electronic mail address (if available).

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