



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2022 Rhif 111 (Cy. 39)**

**2022 No. 111 (W. 39)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Rheoliadau Deddf Cwricwlwm ac  
Asesu (Cymru) 2021 (Darpariaeth  
Drosiannol a Darpariaeth Arbed)  
2022**

**The Curriculum and Assessment  
(Wales) Act 2021 (Transitional and  
Saving Provision) Regulations 2022**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae Deddf Cwricwlwm ac Asesu (Cymru) 2021 (“Deddf 2021”) yn sefydlu fframwaith newydd ar gyfer cwricwlwm ac yn gwneud darpariaeth ynghylch asesu ar gyfer plant a disgyblion yng Nghymru (“y Cwricwlwm newydd i Gymru”).

The Curriculum and Assessment (Wales) Act 2021 (“the 2021 Act”) establishes a new framework for a curriculum and makes provision about assessment for children and pupils in Wales (“the new CfW”).

Bydd y Cwricwlwm newydd i Gymru yn cael ei gyflwyno i blant a disgyblion fesul cam. Daw'r Cwricwlwm newydd i Gymru yn fandadol ar gyfer y grwpiau blwyddyn mewn ysgolion a lleoliadau eraill fel a ganlyn—

The new CfW will be rolled out for children and pupils in a phased manner. The new CfW will become mandatory for the year groups in schools and other settings as follows—

- (a) ar 1 Medi 2022 ar gyfer—
  - (i) plant sy'n cael addysg feithrin,
  - (ii) disgyblion yn eu blwyddyn derbyn,
  - (iii) disgyblion ym mlynnyddoedd 1 i 6,
- (b) ar 1 Medi 2022 ar gyfer plant a disgyblion ym mlwyddyn 7 yn yr ysgolion hynny a'r lleoliadau eraill hynny lle y mae cwricwlwm wedi ei ddarparu yn unol â Deddf 2021,
- (c) ar 1 Medi 2023 ar gyfer plant a disgyblion sydd, ar 1 Medi 2022, ym mlwyddyn 7 ac nad ydynt o fewn paragraff (b),
- (d) ar 1 Medi 2023 ar gyfer plant a disgyblion ym mlwyddyn 8,
- (e) ar 1 Medi 2024 ar gyfer plant a disgyblion ym mlwyddyn 9,
- (f) ar 1 Medi 2025 ar gyfer plant a disgyblion ym mlwyddyn 10, ac
- (g) ar 1 Medi 2026 ar gyfer plant a disgyblion ym mlwyddyn 11.

- (a) on 1 September 2022 for—
  - (i) children receiving nursery education,
  - (ii) pupils in their reception year,
  - (iii) pupils in years 1 to 6,
- (b) on 1 September 2022 for children and pupils in year 7 in those schools and other settings where there is a curriculum provided in accordance with the 2021 Act,
- (c) on 1 September 2023 for children and pupils who, on 1 September 2022, are in year 7 and who are not within paragraph (b),
- (d) on 1 September 2023 for children and pupils in year 8,
- (e) on 1 September 2024 for children and pupils in year 9,
- (f) on 1 September 2025 for children and pupils in year 10, and
- (g) on 1 September 2026 for children and pupils in year 11.

Mae'r Rheoliadau hyn yn gymwys mewn perthynas â phlant a disgyblion y darperir addysg iddynt—

- (a) mewn ysgolion a gynhelir,
- (b) mewn ysgolion meithrin a gynhelir,
- (c) gan ddarparwyr addysg feithrin a gyllidir ond nas cynhelir,
- (d) mewn unedau cyfeirio disgyblion, ac
- (e) gan bersonau sy'n darparu addysgu a dysgu ar gyfer plentyn ac eithrio mewn ysgol a gynhelir, ysgol feithrin a gynhelir neu uned cyfeirio disgyblion yn rhinwedd trefniadau a wneir o dan adran 19A o Ddeddf Addysg 1996.

Cychwynwyd Rhan 7 o Ddeddf 2021, gan gynnwys adran 73 ac Atodlen 2 (mân ddiwygiadau a diwygiadau canlyniadol a diddymadau), gan adran 84(1) o Ddeddf 2021 ar 30 Ebrill 2021, drannoeth y Cydsyniad Brenhinol. Er mwyn darparu ar gyfer cyflwyno'r Cwricwlwm newydd i Gymru fesul cam mae rheoliad 3 o'r Rheoliadau hyn yn gwneud darpariaeth arbed a darpariaeth drosiannol mewn perthynas â'r plant hynny a'r disgyblion hynny nad yw addysg yn cael ei darparu iddynt eto o dan y Cwricwlwm newydd i Gymru.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

These Regulations apply in relation to children and pupils to whom education is provided—

- (a) in maintained schools,
- (b) in maintained nursery schools,
- (c) by funded non-maintained nursery education providers,
- (d) in pupil referral units, and
- (e) by persons who provide teaching and learning for a child otherwise than at a maintained school, maintained nursery school or pupil referral unit by virtue of arrangements made under section 19A of the Education Act 1996.

Section 84(1) of the 2021 Act commenced Part 7 of the 2021 Act including section 73 and Schedule 2 (minor and consequential amendments and repeals) on 30 April 2021, the day after Royal Assent. In order to provide for the phased roll out of the new CfW regulation 3 of these Regulations makes saving and transitional provision in relation to those children and pupils who are not yet being provided with education under the new CfW.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**Rheoliadau Deddf Cwricwlwm ac  
Asesu (Cymru) 2021 (Darpariaeth  
Drosiannol a Darpariaeth Arbed)  
2022**

**The Curriculum and Assessment  
(Wales) Act 2021 (Transitional and  
Saving Provision) Regulations 2022**

*Gwnaed* 7 Chwefror 2022  
*Gosodwyd* gerbron *Senedd*  
*Cymru* 9 Chwefror 2022  
*Yn dod i rym* 8 Mawrth 2022

*Made* 7 February 2022  
*Laid before Senedd Cymru* 9 February 2022  
*Coming into force* 8 March 2022

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 74(1) a 75(1) o Ddeddf Cwricwlwm ac Asesu (Cymru) 2021(1), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers in exercise of the powers conferred on them by sections 74(1) and 75(1) of the Curriculum and Assessment (Wales) Act 2021(1) make the following Regulations:

**Enwi a chychwyn**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Cwricwlwm ac Asesu (Cymru) 2021 (Darpariaeth Drosiannol a Darpariaeth Arbed) 2022.

(2) Daw'r Rheoliadau hyn i rym ar 8 Mawrth 2022.

**Title and commencement**

1.—(1) The title of these Regulations is the Curriculum and Assessment (Wales) Act 2021 (Transitional and Saving Provision) Regulations 2022.

(2) These Regulations come into force on 8 March 2022.

**Dehongli**

2.—(1) Yn y Rheoliadau hyn—

ystyr “Deddf 2021” (“*the 2021 Act*”) yw Deddf Cwricwlwm ac Asesu (Cymru) 2021;

mae i “disgybl” yr ystyr a roddir i “pupil” yn adran 3 o Ddeddf Addysg 1996(2).

mae i “plentyn” yr ystyr a roddir i “child” yn adran 579(1) o Ddeddf 1996.

**Interpretation**

2.—(1) In these Regulations—

“the 2021 Act” (“*Deddf 2021*”) means the Curriculum and Assessment (Wales) Act 2021;

“child” (“*plentyn*”) has the meaning given to it in section 579(1) of the 1996 Act;

“pupil” (“*disgybl*”) has the meaning given to it in section 3 of the Education Act 1996(2).

(1) 2021 dsc 4. Gweler adran 82(1) o Ddeddf 2021 am y diffiniad o “rheoliadau”.

(2) Diwygiwyd is-adran (1) gan adran 57(1) o Ddeddf Addysg 1997 (p. 44) a pharagraff 9 o Atodlen 7 iddi a diwygiwyd is-adran (1) ac (1A) ymhellach gan adran 215(1) o Ddeddf Addysg 2002 (p. 32) a pharagraff 34 o Atodlen 21 iddi.

(1) 2021 asc 4. See section 82(1) of the 2021 Act for the definition of “regulations”.

(2) Subsection (1) was amended by section 57(1) and paragraph 9 of Schedule 7 to the Education Act 1997 (c. 44) and subsection (1) and (1A) were further amended by section 215(1) and paragraph 34 of Schedule 21 to the Education Act 2002 (c. 32).

(2) Mae cyfeiriadau yn y Rheoliadau hyn at “yr hen gyfraith” yn gyfeiriadau at y darpariaethau a ddiwygiwyd neu a ddiddymwyd gan Atodlen 2 i Ddeddf 2021 fel yr oeddent yn cael effaith yn union cyn i Atodlen 2 i Ddeddf 2021 ddod i rym.

(3) Mae cyfeiriadau yn y Rheoliadau hyn at blentyn neu ddisgybl y darperir addysg iddo “o dan yr hen gwricwlwm” yn gyfeiriadau at y plant hynny a’r disgyblion hynny y mae Rhan 2, 3, neu 5 o Ddeddf 2021 yn gymwys iddynt, ond nad yw’r Rhan berthnasol o’r Ddeddf honno wedi dod i rym eto mewn perthynas â hwy.

### **Darpariaeth arbed a darpariaeth drosiannol**

3.—(1) Er gwaethaf cychwyn adran 73 o Ddeddf 2021, ac Atodlen 2 iddi, mae’r hen gyfraith yn parhau i gael effaith—

- (a) mewn perthynas â phlentyn neu ddisgybl y darperir addysg iddo o dan yr hen gwricwlwm, a
- (b) mewn perthynas ag addysg a ddarperir felly.

(2) Mae paragraff (1) yn peidio â chael effaith ar 1 Medi 2028.

(2) References in these Regulations to “the old law” are to the provisions amended or repealed by Schedule 2 to the 2021 Act as they had effect immediately before Schedule 2 to the 2021 Act came into force.

(3) References in these Regulations to a child or pupil provided with education “under the old curriculum” are to those children and pupils to whom Part 2, 3 or 5 of the 2021 Act applies, but in relation to whom the relevant Part of that Act has not yet come into force.

### **Saving and transitional provision**

3.—(1) Despite the commencement of section 73 of, and Schedule 2 to, the 2021 Act, the old law continues to have effect—

- (a) in relation to a child or pupil provided with education under the old curriculum, and
- (b) in relation to education so provided.

(2) Paragraph (1) ceases to have effect on 1 September 2028.

*Jeremy Miles*

Gweinidog y Gymraeg ac Addysg, un o Weinidogion  
Cymru  
7 Chwefror 2022

Minister for Education and Welsh Language, one of  
the Welsh Ministers  
7 February 2022

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