CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 1718 (Cy.185) (C.72)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 2) (Cymru) 2003

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dwyn i rym ar 1 Awst 2003, 1 Medi 2003 ac 1 Tachwedd 2003, y darpariaethau hynny yn Neddf Addysg 2002 a bennir yn Rhannau I i III o'r Atodlen i'r Gorchymyn hwn.

Mae'r cyfeiriadau isod at adrannau ac Atodlenni (heb fanylion pellach) yn gyfeiriadau at adrannau o Ddeddf Addysg 2002 ac Atodlenni iddi.

Yn achos darpariaethau sy'n cael eu dwyn i rym gan y Gorchymyn hwn ac sy'n diwygio deddfwriaeth sy'n bodoli eisoes, mae'r cyfeiriadau at yr Ysgrifennydd Gwladol yn y darpariaethau hynny i'w darllen, mewn perthynas â Chymru, fel cyfeiriadau at Gynulliad Cenedlaethol Cymru - *gweler* adran 211.

Dyma fydd effaith y darpariaethau a bennir yn Rhan I o'r Atodlen -

Mae adrannau 60 i 64 yn ymwneud â phwerau Cynulliad Cenedlaethol Cymru (y Cynulliad Cenedlaethol) i gyfarwyddo AALl.

Mae adran 60 yn diwygio adran 497A o Ddeddf Addysg 1996 (Deddf 1996) fel bod modd i gyfarwyddyd gyfeirio at holl swyddogaethau AALl; fel bod modd gwneud cyfarwyddyd pellach pan ddaw un blaenorol i ben os caiff y Cynulliad Cenedlaethol ei fodloni, pe na bai'n gwneud cyfarwyddyd pellach, na fyddai'r AALl yn cyflawni'r swyddogaeth o dan sylw i safon ddigonol; fel bod modd i'r Cynulliad Cenedlaethol gyfarwyddo AALl i gymryd camau mwy penodol; ac yn y fath fodd ag i alluogi'r Cynulliad Cenedlaethol i gyfarwyddo bod swyddogaeth i'w harfer ganddo neu gan ei enwebai.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 1718 (W.185) (C.72)

EDUCATION, WALES

The Education Act 2002 (Commencement No. 2) (Wales) Order 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st August 2003, 1st September 2003 and 1st November 2003, those provisions of the Education Act 2002 specified in Parts I to III of the Schedule to this Order.

References below to sections and Schedules (without more) are references to sections of and Schedules to the Education Act 2002.

In the case of provisions brought into force by this Order which amend existing legislation, references to the Secretary of State in those provisions are to be read, in relation to Wales, as references to the National Assembly for Wales - *see* section 211.

The effect of the provisions specified in Part I of the Schedule is as follows -

Sections 60 to 64 relate to the powers of the National Assembly for Wales (the National Assembly) to direct LEAs.

Section 60 amends section 497A of the Education Act 1996 (the 1996 Act) so that a direction can relate to all functions of an LEA; so that a further direction can be made when a previous one comes to an end if the National Assembly is satisfied that if it did not make a further direction, the LEA would not perform the function in question to an adequate standard; so that the National Assembly can direct an LEA to take more specific action; and so as to enable the National Assembly to direct that a function is to be exercised by it or by its

Mae adran 61 yn mewnosod adran 497AA newydd o Ddeddf 1996 sy'n ei gwneud yn ofynnol i AALl gydweithredu â'r Cynulliad Cenedlaethol, neu ei enwebai, os yw'r Cynulliad Cenedlaethol yn ystyried gwneud cyfarwyddyd. Mae adran 62 yn gwneud diwygiadau canlyniadol i adran 497B o Ddeddf 1996. Mae adrannau 63 a 64 yn galluogi'r Cynulliad Cenedlaethol o dan amgylchiadau penodol i gyfarwyddo AALl i gael cyngor oddi wrth berson penodedig.

Mae adran 178(1) a (4) yn diwygio Deddf Dysgu a Medrau 2000 i estyn ystod arolygiadau ardal at bersonau sydd dros 14 oed.

Mae adran 215 ac Atodlenni 21 a 22 yn gwneud mân ddiwygiadau canlyniadol a diddymiadau.

Dyma fydd effaith y darpariaethau a bennir yn Rhan II o'r Atodlen -

Mae adran 27 yn galluogi corff llywodraethu ysgol a gynhelir i ddarparu cyfleusterau neu wasanaethau er budd y gymuned. Mae adran 28 yn gosod terfynau ar arfer y pŵer hwn. Mae adran 19(6) ac Atodlen 1, paragraff 3(1), (3) i (8), ac adran 40 ac Atodlen 3, paragraffau 1 i 5 yn gwneud darpariaeth sy'n dilyn fel canlyniad i gyflwyno'r pŵer hwn.

Mae adran 29 yn ailddeddfu, gyda diwygiadau, adran 39 o Ddeddf Safonau a Fframwaith Ysgolion 1998 (Deddf 1998). Roedd adran 39(1) o Ddeddf 1998 yn ei gwneud yn ofynnol i gyrff llywodraethu sefydlu gweithdrefn cwyno yn unol â rheoliadau, ond ni wnaethpwyd rheoliadau o dan yr adran honno. Mae adran 29(1) a (2) nawr yn ei gwneud yn ofynnol i gorff llywodraethu gael gweithdrefn cwyno fel y'i nodir yn yr adran ac yn unol â chyfarwyddyd. Mae adran 29(3) a (4) yn rhoi pŵer i gorff llywodraethu i'w gwneud yn ofynnol i ddisgyblion fynd i unrhyw le y tu allan i'r ysgol at ddibenion y cwricwlwm. Mae adran 29(5) yn ei gwneud yn ofynnol i gorff llywodraethu a phennaeth gydymffurfio â chyfarwyddiadau AALl mewn perthynas â iechyd a diogelwch.

Mae adrannau 136 i 140 yn cynnwys pwerau i wneud rheoliadau ynglŷn â chymwysterau athrawon a phenaethiaid addysg bellach, mewn perthynas â chyrsiau sy'n arwain at gymwysterau o'r fath ac mewn perthynas â darparu cyrsiau addysg uwch mewn sefydliadau addysg bellach.

Mae adrannau 181 i 185 yn galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau sy'n darparu ar gyfer talu lwfansau i bersonau cymwys dros oedran ysgol gorfodol sy'n cymryd rhan mewn addysg neu hyfforddiant nad yw'n addysg uwch.

Mae adran 197 yn galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau sy'n ei gwneud yn ofynnol i AALl a chyrff llywodraethu wneud cytundebau partneriaeth, sy'n nodi sut y byddant yn cyflawni eu swyddogaethau mewn perthynas ag ysgol.

nominee. Section 61 inserts a new section 497AA of the 1996 Act which requires an LEA to co-operate with the National Assembly, or its nominee, if the National Assembly is contemplating making a direction. Section 62 makes consequential amendments to section 497B of the 1996 Act. Sections 63 and 64 enable the National Assembly in certain circumstances to direct an LEA to obtain advice from a specified person.

Section 178(1) and (4) amend the Learning and Skills Act 2000 to extend area inspections to persons who are aged over 14.

Section 215 and Schedules 21 and 22 make minor and consequential amendments and repeals.

The effect of the provisions specified in Part II of the Schedule is as follows -

Section 27 enables the governing body of a maintained school to provide facilities or services for the benefit of the community. Section 28 sets limits on the exercise of this power. Section 19(6) and Schedule 1, paragraph 3(1), (3) to (8), and section 40 and Schedule 3, paragraphs 1 to 5 make provision consequential on the introduction of this power.

Section 29 re-enacts, with amendments, section 39 of the School Standards and Framework Act 1998 (the 1998 Act). Section 39(1) of the 1998 Act required governing bodies to establish a complaints procedure in accordance with regulations, but no regulations were made under that section. Section 29 (1) and (2) now requires a governing body to have a complaints procedure as set out in the section and in accordance with guidance. Section 29 (3) and (4) gives a governing body the power to require pupils to attend any place outside the school for curriculum purposes. Section 29(5) requires a governing body and a head teacher to comply with an LEA's directions in relation to health and safety.

Sections 136 to 140 contain regulation making powers in relation to the qualifications of further education teachers and principals, in relation to courses leading to such qualifications and in relation to the provision of courses of higher education at further education institutions.

Sections 181 to 185 enable the National Assembly to make regulations providing for allowances to be paid to eligible persons over compulsory school age taking part in education or training which is not higher education.

Section 197 enables the National Assembly to make regulations requiring LEAs and governing bodies to enter into partnership agreements, setting out how they will carry out their functions in relation to a school.

Mae adran 199 ac Atodlen 19 yn diwygio darpariaethau Deddf 1996 ynglŷn â chludiant. Maent yn ei gwneud yn ofynnol i AALl baratoi datganiad polisi sy'n nodi eu trefniadau ar gyfer darparu cludiant ar gyfer dysgwyr ôl-16 neu gefnogaeth ar gyfer cludiant o'r fath.

Mae adran 202 yn cynnwys pwerau i wneud rheoliadau ynglŷn â chofnodion addysgol sefydliadau addysg bellach.

Mae adran 203 yn cynnwys pwerau i wneud rheoliadau ynglŷn â defnyddio offer a deunyddiau peryglus mewn sefydliadau addysg bellach.

Mae adran 206 ac Atodlen 20 yn diwygio Deddf 1996 a Deddf Addysg Bellach ac Uwch 1992 i estyn y darpariaethau ynglŷn â niwsans neu aflonyddwch ar safleoedd addysgol i ysgolion arbennig na chynhelir mohonynt, ysgolion annibynnol, safleoedd sy'n cael eu darparu gan AALl ar gyfer hyfforddiant mewn gweithgareddau sy'n ymwneud â chwaraeon, gweithgareddau adloniadol neu weithgareddau awyr agored ac i sefydliadau o fewn y sector addysg bellach.

Mae adran 215 ac Atodlenni 21 a 22 yn gwneud mân ddiwygiadau canlyniadol a diddymiadau.

Dyma fydd effaith y darpariaethau a bennir yn Rhan III o'r Atodlen -

Mae adran 43 yn mewnosod adran 47A newydd o Ddeddf 1998, sy'n ei gwneud yn ofynnol i AALl sefydlu fforymau ysgol. Bydd y rhain yn cynrychioli cyrff llywodraethu a phenaethiaid ac yn cynghori'r AALl ar faterion sy'n ymwneud â'i gyllideb ysgolion.

Section 199 and Schedule 19 amend provisions of the 1996 Act relating to transport. They require LEAs to prepare a policy statement setting out their arrangements for the provision of, or support for, transport for post 16 learners.

Section 202 contains regulation making powers in relation to educational records of further education institutions.

Section 203 contains regulation making powers in relation to the use of hazardous equipment and materials in further education institutions.

Section 206 and Schedule 20 amend the 1996 Act and the Further and Higher Education Act 1992, to extend the provisions relating to nuisance or disturbance on educational premises to non-maintained special schools, independent schools, premises provided by an LEA for instruction in sporting, recreational or outdoor activities and to institutions within the further education sector.

Section 215 and Schedules 21 and 22 make minor and consequential amendments and repeals.

The effect of the provisions specified in Part III of the Schedule is as follows -

Section 43 inserts a new section 47A of the 1998 Act, requiring LEAs to establish school forums. These will represent governing bodies and head teachers and will advise the LEA on matters relating to its schools budget.

NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH

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

Mae darpariaethau canlynol Deddf Addysg 2002 wedi'u dwyn i rym mewn perthynas â Chymru trwy orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

Y Ddarpariaeth	*Y Dyddiad Cychwyn*	*Rhif O.S.*
Adrannau 14 i 17	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 18(2)	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 49	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adrannau 54 i 56	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 75 (yr rhannol)	19 Rhagfyr 2002	2002/3185 Cy.301)
Adrannau 97 a 98	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 99(1)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 100 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 101 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 103	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adrannau 105 i 107	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 108 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Education Act 2002 have been brought into force in relation to Wales by commencement order made before the date of this Order:

Provision	*Date of Commencement*	*S.I. No.*
Sections 14 to 17	31st March 2003	2002/3185 (W.301)
Section 18(2)	31st March 2003	2002/3185 (W.301)
Section 49	19th December 2002	2002/3185 (W.301)
Sections 54 to 56	19th December 2002	2002/3185 (W.301)
Section 75 (partially)	19th December ` 2002	2002/3185 (W.301)
Sections 97 and 98	19th December 2002	2002/3185 (W.301)
Section 99(1)	19th December 2002	2002/3185 (W.301)
Section 100 (partially)	19th December 2002	2002/3185 (W.301)
Section 101 (partially)	19th December 2002	2002/3185 (W.301)
Section 103	19th December 2002	2002/3185 (W.301)
Sections 105 to 107	19th December 2002	2002/3185 (W.301)
Section 108 (partially)	19th December 2002	2002/3185 (W.301)

Adran 109	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adrannau 111 i 118	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 119	1 Hydref 2002	2002/2439
Adran 120(1) a (3) i (5)	1 Hydref 2002	2002/2439
Adran 121	1 Hydref 2002	2002/2439
Adran 130 (yn rhannol)	1 Hydref 2002	2002/2439
Adran 131	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adrannau 132 a 133	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 134 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 135	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 141	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adrannau 142 i 144	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 145	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 146 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 148 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 149	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 150	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 151(2)	19 Rhagfyr 2002	2002/3185 (Cy.301)

Section 109	19th December 2002	2002/3185 (W.301)
Sections 111 to 118	19th December 2002	2002/3185 (W.301)
Section 119	1st October 2002	2002/2439
Section 120(1) and (3) to (5)	1st October 2002	2002/2439
Section 121	1st October 2002	2002/2439
Section 130 (partially)	1st October 2002	2002/2439
Section 131	19th December 2002	2002/3185 (W.301)
Sections 132 and 133	19th December 2002	2002/3185 (W.301)
Section 134 (partially)	19th December 2002	2002/3185 (W.301)
Section 135	19th December 2002	2002/3185 (W.301)
Section 141	19th December 2002	2002/3185 (W.301)
Sections 142 to 144	31st March 2003	2002/3185 (W.301)
Section 145	19th December 2002	2002/3185 (W.301)
Section 146 (partially)	31st March 2003	2002/3185 (W.301)
Section 148 (partially)	19th December 2002	2002/3185 (W.301)
Section 149	31st March 2003	2002/3185 (W.301)
Section 150	31st March 2003	2002/3185 (W.301)
Section 151(2)	19th December 2002	2002/3185 (W.301)

Adran 152 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 179 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 180	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 188 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 189 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adrannau 191 i 194	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 195 (yn rhannol) (yn llawn)	31 Mawrth 2003 1 Medi 2003	2002/3185 (Cy.301) 2002/3185 (Cy.301)
Adran 196	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 200	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 201 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 215 (yn rhannol) (yn rhannol) (yn rhannol)	19 Rhagfyr 2002 31 Mawrth 2003 1 Medi 2003	2002/3185 (Cy.301) 2002/3185 (Cy.301) 2002/3185 (Cy.301)
Atodlen 5	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 10, paragraffau 1, 6, 11 a 15.	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 11	1 Hydref 2002	2002/2439

Section 152 (partially)	19th December 2002	2002/3185 (W.301)
Section 179 (partially)	19th December 2002	2002/3185 (W.301)
Section 180	19th December 2002	2002/3185 (W.301)
Section 188 (partially)	19th December 2002	2002/3185 (W.301)
Section 189 (partially)	19th December 2002	2002/3185 (W.301)
Sections 191 to 194	19th December 2002	2002/3185 (W.301)
Section 195 (partially) (fully)	31st March 2003 1st September 2003	2002/3185 (W.301) 2002/3185 (W.301)
Section 196	19th December 2002	2002/3185 (W.301)
Section 200	31st March 2003	2002/3185 (W.301)
Section 201 (partially)	31st March 2003	2002/3185 (W.301)
Section 215 (partially) (partially) (partially)	19th December 2002 31st March 2003 1st September 2003	2002/3185 (W.301) 2002/3185 (W.301) 2002/3185 (W.301)
Schedule 5	19th December 2002	2002/3185 (W.301)
Schedule 10, paragraphs 1, 6, 11 and 15	19th December 2002	2002/3185 (W.301)
Schedule 11	1st October 2002	2002/2439

Atodlen 12, paragraffau 1, 2, 4(1) a (3), 6 a 7 Paragraff 12(1) a (2)	19 Rhagfyr 2002 31 Mawrth 2003	2002/3185 (Cy.301) 2002/3185 (Cy.301)
Atodlen 13, paragraffau 1 i 3, 5, 6, 7(1) a (3) ac 8	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 16, paragraffau 4 i 9	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 17, paragraffau 5(1) i (4), (6) a 6 i 8	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 18, paragraffau 1, 4, 5 a 7 Paragraff 8 (yn rhannol) Paragraffau 13 i 15 Paragraffau 2, 3, 6, 8 (yn llawn), 9 i 12 ac 16 i 18	31 Mawrth 2003 31 Mawrth 2003 31 Mawrth 2003 1 Medi 2003	2002/3185 (Cy.301) 2002/3185 (Cy.301) 2002/3185 (Cy.301) 2002/3185 (Cy.301)
Atodlen 21 (yn rhannol) (yn rhannol) (yn rhannol)	1 Hydref 2002 19 Rhagfyr 2002 31 Mawrth 2003	2002/2439 2002/3185 (Cy.301) 2002/3185 (Cy.301)

Schedule 12, paragraphs 1, 2, 4(1) and (3), 6 and 7 Paragraph 12(1) and (2)	19th December 2002 31st March 2003	2002/3185 (W.301) 2002/3185 (W.301)
Schedule 13, paragraphs 1 to 3, 5, 6, 7(1) and (3) and 8	19th December 2002	2002/3185 (W.301)
Schedule 16, paragraphs 4 to 9	19th December 2002	2002/3185 (W.301)
Schedule 17, paragraphs 5(1) to (4), (6) and 6 to 8	19th December 2002	2002/3185 (W.301)
Schedule 18, paragraphs 1, 4, 5 and 7 Paragraph 8 (partially) Paragraphs 13 to 15 Paragraphs 2, 3, 6, 8 (fully), 9 to 12 and 16 to 18	31st March 2003 31st March 2003 31st March 2003 1st September 2003	2002/3185 W.301) 2002/3185 (W.301) 2002/3185 (W.301) 2002/3185 (W.301)
Schedule 21 (partially) (partially) (partially)	1st October 2002 19th December 2002 31st March 2003	2002/2439 2002/3185 (W.301) 2002/3185 (W.301)

Atodlen 22 (yn rhannol)	1 Hydref 2002	2002/2439
(yn rhannol)	9 Rhagfyr 2002	2002/3185 (Cy.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)
(yn rhannol)	1 Medi 2003	2002/3185 (Cy.301)

Mae amryw o ddarpariaethau Deddf Addysg 2002 wedi'u dwyn i rym mewn perthynas â Lloegr gan yr Offerynnau Statudol canlynol: O.S. 2002/2002 fel y'i diwygiwyd gan O.S. 2002/2018, O.S. 2002/2439, O.S. 2002/2952, O.S. 2003/124 ac O.S. 2003/1115.

Schedule 22 (partially)	1st October 2002	2002/2439
(partially)	19th December 2002	2002/3185 (W.301)
(partially)	31st March 2003	2002/3185 (W.301)
(partially)	1st September 2003	2002/3185 (W.301)

Various provisions of the Education Act 2002 have been brought into force in relation to England by the following Statutory Instruments: S.I. 2002/2002, as amended by S.I. 2002/2018, S.I. 2002/2439, S.I. 2002/2952, S.I. 2003/124 and S.I. 2003/1115.

OFFERYNNAU STATUDOL

2003 Rhif 1718 (Cy.185) (C.72)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 2) (Cymru) 2003

Wedi'i wneud *9 Gorffennaf 2003*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵer a roddwyd iddo gan adran 216(3), (4)(b) a (5) o Ddeddf Addysg 2002(**a**), drwy hyn yn gwneud y Gorchymyn canlynol:

Enw, cymhwyso a dehongli

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 2) (Cymru) 2003.

2. Mae'r darpariaethau sy'n cael eu dwyn i rym gan y Gorchymyn hwn yn cael eu dwyn i rym mewn perthynas â Chymru yn unig (ac eithrio mewn perthynas ag adrannau 139 a 197).

3. Yn y Gorchymyn hwn, oni nodir fel arall, mae cyfeiriadau at Rannau, adrannau ac Atodlenni yn gyfeiriadau at Rannau ac adrannau o Ddeddf Addysg 2002 a'r Atodlenni iddi.

Diwrnodau penodedig

4. 1 Awst 2003 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan I o'r Atodlen i'r Gorchymyn hwn ddod i rym.

5. 1 Medi 2003 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan II o'r Atodlen i'r Gorchymyn hwn ddod i rym.

6. 1 Tachwedd 2003 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan III o'r Atodlen i'r Gorchymyn hwn ddod i rym.

(a) 2002 p.32.

STATUTORY INSTRUMENTS

2003 No. 1718 (W.185) (C.72)

EDUCATION, WALES

The Education Act 2002 (Commencement No. 2) (Wales) Order 2003

Made *9th July 2003*

The National Assembly for Wales, in exercise of the power conferred upon it by section 216(3), (4)(b), (5) of the Education Act 2002(**a**), hereby makes the following Order:

Name, application and interpretation

1. This Order is called the Education Act 2002 (Commencement No. 2) (Wales) Order 2003.

2. Provisions brought into force by this Order are brought into force only in relation to Wales (except in relation to sections 139 and 197).

3. In this Order, unless otherwise stated, references to Parts, sections and Schedules are references to Parts and sections of and Schedules to the Education Act 2002.

Appointed days

4. The day appointed for the coming into force of the provisions specified in Part I of the Schedule to this Order is 1st August 2003.

5. The day appointed for the coming into force of the provisions specified in Part II of the Schedule to this Order is 1st September 2003.

6. The day appointed for the coming into force of the provisions specified in Part III of the Schedule to this Order is 1st November 2003.

(a) 2002 c.32.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**a**)

9 Gorffennaf 2003

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**a**)

9th July 2003

D.Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

YR ATODLEN

Erthyglau 4, 5 a 6

RHAN I

Y darpariaethau sy'n dod i rym ar
1 Awst 2003

Y ddarpariaeth	***Y pwnc***
Adrannau 60 i 64	Pwerau ymyrryd - Awdurdodau addysg lleol
Adran 178(1) a (4)	Arolygiadau ardal
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau
Yn Atodlen 22, Rhan 3, diddymu - Deddf Gwahaniaethu ar sail Anabledd 1995(**a**), adran 28Q(12), Deddf Addysg 1996(**b**), adrannau 483(3A), 483A(7), 490, 497A(3), yn adran 580, y cofnodion sy'n ymwneud â "city academy", "city college for the technology of the arts", "city technology college", Deddf Dysgu a Medrau 2000(**c**), Atodlen 8.	Diddymiadau

(a) 1995 p.50.

(b) 1996 p.56.

(c) 2000 p.21.

SCHEDULE

Articles 4, 5 and 6

PART I

Provisions coming into force on
1st August 2003

Provision	***Subject matter***
Sections 60 to 64	Powers of intervention - Local education authorities
Section 178(1) and (4)	Area inspections
Section 215(2) in so far as it relates to the provisions of Schedule 22 below	Repeals
In Schedule 22, Part 3 the repeal of - Disability Discrimination Act 1995(**a**), section 28Q(12), Education Act 1996(**b**), Sections 483(3A), 483A(7), 490, 497A(3), in section 580, the entries relating to city academy, city college for the technology of the arts, city technology college, Learning and Skills Act 2000(**c**), Schedule 8.	Repeals

(a) 1995 c.50.

(b) 1996 c.56.

(c) 2000 c.21.

RHAN II

Y darpariaethau sy'n dod i rym ar
1 Medi 2003

Y ddarpariaeth	*Y pwnc*
Adran 19(6) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 1 isod	Cyrff llywodraethu
Adrannau 27 a 28	Pŵer corff llywodraethu i ddarparu cyfleusterau cymunedol
Adran 29	Swyddogaethau ychwanegol cyrff llywodraethu
Adran 40 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 3 isod	Diwygiadau i Ran 2 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Adran 136	Addysg bellach : darparu addysg
Adran 137	Penaethiaid sefydliadau addysg bellach
Adran 138	Hyfforddiant mewn darparu addysg bellach
Adran 139	Cymru : darparu addysg uwch
Adran 140	Addysg bellach : cyffredinol
Adrannau 181 i 185	Lwfansau ar gyfer addysg neu hyfforddiant
Adran 197	Cytundebau a datganiadau partneriaeth
Adran 199	Cludiant ar gyfer personau dros oedran ysgol gorfodol

PART II

Provisions coming into force on
1st September 2003

Provision	*Subject matter*
Section 19(6) in so far as it relates to the provisions of Schedule 1 below	Governing bodies
Sections 27 and 28	Power of governing body to provide community facilities
Section 29	Additional functions of governing bodies
Section 40 in so far as it relates to the provisions of Schedule 3 below	Amendments of Part 2 of School Standards and Framework Act 1998
Section 136	Further education : provision of education
Section 137	Principals of further education institutions
Section 138	Training in provision of further education
Section 139	Wales : provision of higher education
Section 140	Further education : general
Sections 181 to 185	Allowances in respect of education or training
Section 197	Partnership agreements and statements
Section 199	Transport for persons over compulsory school age

Adran 202	Sefydliadau addysg bellach : cofnodion
Adran 203	Sefydliadau addysg bellach : deunydd peryglus, etc
Adran 206	Niwsans neu aflonyddwch ar safleoedd addysg
Adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 21 isod	Mân ddiwygiadau a diwygiadau canlyniadol
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau
Atodlen 1, paragraff 3(1) (ac eithrio paragraff (a)) ac is-baragraffau (3) i (8) i'r graddau y maent yn ymwneud â'r pŵer a roddir gan is-baragraff (1)(b)	Cyrff llywodraethu
Atodlen 3, paragraffau 1 i 5	Diwygiadau i Ran 2 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Atodlen 19	Cludiant ar gyfer personau dros oedran ysgol gorfodol
Atodlen 20	Niwsans neu aflonyddwch ar safleoedd addysgol
Atodlen 21, Paragraff 4, Paragraff 34	Mân ddiwygiadau a diwygiadau canlyniadol

Section 202	Further education institutions : records
Section 203	Further education institutions : hazardous material, etc
Section 206	Nuisance or disturbance on education premises
Section 215(1) in so far as it relates to the provisions of Schedule 21 below	Minor and consequential amendments
Section 215(2) in so far as it relates to the provisions of Schedule 22 below	Repeals
Schedule 1, paragraph 3(1) (except paragraph (a)) and sub-paragraphs (3) to (8) so far as relating to the power conferred by sub-paragraph (1)(b)	Governing bodies
Schedule 3, paragraphs 1 to 5	Amendments of Part 2 of School Standards and Framework Act 1998
Schedule 19	Transport for persons over compulsory school age
Schedule 20	Nuisance or disturbance on educational premises
Schedule 21, Paragraph 4 Paragraph 34	Minor and consequential amendments

Yn Atodlen 22, Rhan 3, diddymu Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982(**a**), adran 40, Deddf Addysg Bellach ac Uwch 1992(**b**), yn Atodlen 8, paragraff 90, Deddf Addysg 1996, adran 509(6), ac yn Atodlen 37, paragraff 55, Deddf Addysg 1997(**c**), yn Atodlen 7, paragraff 9(3), Deddf Safonau a Fframwaith Ysgolion 1998(**ch**), yn Atodlen 30, paragraff 133(b).	Diddymiadau

RHAN III

Y darpariaethau sy'n dod i rym ar 1 Tachwedd 2003

Y ddarpariaeth	*Y pwnc*
Adran 43	Fforymau Ysgol

(a) 1982 p.30.
(b) 1992 p.13.
(c) 1997 p.44.
(ch) 1998 p.31.

In Schedule 22, Part 3, the repeal of Local Government (Miscellaneous Provisions) Act 1982(**a**), section 40, Further and Higher Education Act 1992(**b**), in Schedule 8, paragraph 90, Education Act 1996, section 509(6) and in Schedule 37, paragraph 55, Education Act 1997(**c**), in Schedule 7, paragraph 9(3), School Standards and Framework Act 1998(**d**), in Schedule 30, paragraph 133(b)	Repeals

PART III

Provisions coming into force on 1st November 2003

Provision	***Subject matter***
Section 43	School Forums

(a) 1982 c.30.
(b) 1992 c.13.
(c) 1997 c.44.
(d) 1998 c.31.

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

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ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 2) (Cymru) 2003

The Education Act 2002 (Commencement No. 2) (Wales) Order 2003

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