



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2005 Rhif 1395 (Cy.109) (C.60)

2005 No. 1395 (W.109) (C.60)

ADDYSG, CYMRU

EDUCATION, WALES

**Gorchymyn Deddf Addysg 2002
(Cychwyn Rhif 6 a Darpariaethau
Trosiannol) (Cymru)
2005**

**The Education Act 2002
(Commencement No. 6 and
Transitional Provisions) (Wales)
Order 2005**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dwyn i rym adran 50 o Ddeddf Addysg 2002 ("Deddf 2002") ar 31 Mai 2005. Mae adran 50 yn diwygio adran 94 o Ddeddf Safonau a Fframwaith Ysgolion 1998 ("Deddf 1998"), fel bod y trefniadau ar gyfer apelau i baneli apêl yn erbyn penderfyniadau ynghylch derbyn plentyn i ysgol yn cael eu gosod mewn rheoliadau a wneir gan y Cynulliad Cenedlaethol. Mae'r Gorchymyn hefyd yn dwyn i rym ar 31 Mai 2005 adran 51 o Ddeddf 2002 a darpariaethau yn Atodlen 4 i'r Ddeddf honno sy'n gwneud diwygiadau pellach i Ddeddf 1998 o ran derbyniadau i ysgolion.

This Order brings into force on 31 May 2005 section 50 of the Education Act 2002 ("the 2002 Act"). Section 50 amends section 94 of the School Standards and Framework Act 1998 ("the 1998 Act"), so that the arrangements for appeals to appeal panels against decisions relating to the admission of a child to a school are to be set out in regulations made by the National Assembly. The Order also brings into force on 31 May 2005 section 51 of the 2002 Act and provisions in Schedule 4 to that Act which make further amendments of the 1998 Act in relation to school admissions.

Mae'r Gorchymyn hefyd yn gwneud darpariaethau trosiannol. Mae'r diwygiadau i adran 86 o Ddeddf 1998 ynghylch hoff dewis rhiant a derbyniadau i ddosbarthiadau chwech yn gymwys o ran blwyddyn benderfynu 2005-06, pan benderfynir y trefniadau derbyn ar gyfer y flwyddyn ysgol 2007-08.

The Order also makes transitional provisions. The amendments of section 86 of the 1998 Act relating to parental preferences and admission to sixth forms will apply in relation to the determination year 2005-06, during which year admission arrangements will be determined for the school year 2007-08.

Nid yw'r diwygiadau i adrannau 96 a 97 o Ddeddf 1998 ynghylch pŵer AALLau i gyfarwyddo ysgol i dderbyn plant yn gymwys o ran penderfyniad i gyfarwyddo a wnaed cyn 31 Mai 2005.

The amendments of sections 96 and 97 of the 1998 Act relating to an LEA's power to direct a school to admit children will not apply in relation to a decision to direct made before 31 May 2005.

O ran apelau derbyn a wnaed cyn 31 Mai 2005, mae darpariaethau Deddf 1998 sy'n ymwneud ag apelau o'r fath a darpariaethau Deddf Llywodraeth Leol 1974 sy'n ymwneud ag awdurdodaeth yr ombwdsmon i fod yn effeithiol fel pe nas diwygiwyd gan Ddeddf 2002.

In relation to admission appeals made before 31 May 2005, provisions of the 1998 Act relating to such appeals and of the Local Government Act 1974 relating to the ombudsman's jurisdiction are to have effect as though they had not been amended by the 2002 Act.

**NODYN AM ORCHMYNION CYCHWYN
BLAENOROL**

(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:

**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:

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad</i>	<i>O.S. Rhif Cychwyn</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Adrannau 14 i 17	31 Mawrth 2003	2002/3185 (Cy.301)	Sections 14 to 17	31 March 2003	2002/3185 (W.301)
Adran 18(2)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 18(2)	31 March 2003	2002/3185 (W.301)
Adran 19(6) (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	Section 19(6) (partially)	1 September 2003	2003/1718 (W.185)
Adrannau 21 a 22	1 Medi 2004	2004/1728 (Cy.172)	Sections 21 and 22	1 September 2004	2004/1728 (W.172)
Adrannau 27 a 28	1 Medi 2003	2003/1718 (Cy.185)	Sections 27 and 28	1 September 2003	2003/1718 (W.185)
Adran 29	1 Medi 2003	2003/1718 (Cy.185)	Section 29	1 September 2003	2003/1718 (W.185)
Adran 30	1 Medi 2004	2004/1728 (Cy.172)	Section 30	1 September 2004	2004/1728 (W.172)
Adran 32	1 Medi 2004	2004/1728 (Cy.172)	Section 32	1 September 2004	2004/1728 (W.172)
Adran 39(1) (yn rhannol)	1 Medi 2004	2004/1728 (Cy.178)	Section 39(1) (partially)	1 September 2004	2004/1728 (W.178)
Adran 40 (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	Section 40 (partially)	1 September 2003	2003/1718 (W.185)
Adran 41	4 Rhagfyr 2003	2003/2961 (Cy.278)	Section 41	4 December 2003	2003/2961 (W.278)
Adran 42	4 Rhagfyr 2003	2003/2961 (Cy.278)	Section 42	4 December 2003	2003/2961 (W.278)
Adran 43	1 Tachwedd 2003	2003/1718 (Cy.185)	Section 43	1 November 2003	2003/1718 (W.185)
Adran 46	1 Rhagfyr 2003	2003/2961 (Cy.278)	Section 46	1 December 2003	2003/2961 (W.278)
Adran 49	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 49	19 December 2002	2002/3185 (W.301)
Adran 51 (yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	Section 51 (partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)

Adran 52 (yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	Section 52 (partially)	9 January 2004	2003/2961 (W.278)
Adrannau 54 i 56	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 54 to 56	19 December 2002	2002/3185 (W.301)
Adrannau 60 i 64	1 Awst 2003	2003/1718 (Cy.185)	Sections 60 to 64	1 August 2003	2003/1718 (W.185)
Adran 72	1 Awst 2004	2004/1728 (Cy.172)	Section 72	1 August 2004	2004/1728 (W.172)
Adran 75 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 75 (partially)	19 December 2002	2002/3185 (W.301)
Adrannau 97 a 98	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 97 and 98	19 December 2002	2002/3185 (W.301)
Adran 99(1)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 99(1)	19 December 2002	2002/3185 (W.301)
Adran 100 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 100 (partially)	19 December 2002	2002/3185 (W.301)
Adran 101 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 101 (partially)	19 December 2002	2002/3185 (W.301)
Adran 103	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 103	19 December 2002	2002/3185 (W.301)
Adrannau 105 i 107	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 105 to 107	19 December 2002	2002/3185 (W.301)
Adran 108 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 108 (partially)	19 December 2002	2002/3185 (W.301)
Adran 109	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 109	19 December 2002	2002/3185 (W.301)
Adrannau 111 i 118	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 111 to 118	19 December 2002	2002/3185 (W.301)
Adran 119	1 Hydref 2002	2002/2439	Section 119	1 October 2002	2002/2439
Adran 120(1) a (3) i (5)	1 Hydref 2002	2002/2439	Section 120(1) and (3) to (5)	1 October 2002	2002/2439
Adran 120(2)	1 Awst 2003	2003/1667	Section 120(2)	1 August 2003	2003/1667
Adran 121	1 Hydref 2002	2002/2439	Section 121	1 October 2002	2002/2439
Adran 122 i 129	1 Awst 2003	2003/1667	Section 122 to 129	1 August 2003	2003/1667
Adran 130 (yn rhannol)	1 Hydref 2002	2002/2439	Section 130 (partially)	1 October 2002	2002/2439
(yn llawn)	1 Awst 2003	2003/1667	(fully)	1 August 2003	2003/1667
Adran 131	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 131	19 December 2002	2002/3185 (W.301)
Adrannau 132 a 133	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 132 and 133	19 December 2002	2002/3185 (W.301)
Adran 134 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 134 (partially)	19 December 2002	2002/3185 (W.301)
Adran 135	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 135	19 December 2002	2002/3185 (W.301)

Adrannau 136 i 140	1 Medi 2003	2003/1718 (Cy.185)	Sections 136 to 140	1 September 2003	2003/1718 (W.185)
Adran 141	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 141	19 December 2002	2002/3185 (W.301)
Adrannau 142 i 144	31 Mawrth 2003	2002/3185 (Cy.301)	Sections 142 to 144	31 March 2003	2002/3185 (W.301)
Adran 145	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 145	19 December 2002	2002/3185 (W.301)
Adran 146 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 146 (partially)	31 March 2003	2002/3185 (W.301)
Adran 148 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 148 (partially)	19 December 2002	2002/3185 (W.301)
Adran 149	31 Mawrth 2003	2002/3185 (Cy.301)	Section 149	31 March 2003	2002/3185 (W.301)
Adran 150	31 Mawrth 2003	2002/3185 (Cy.301)	Section 150	31 March 2003	2002/3185 (W.301)
Adran 151(2)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 151(2)	19 December 2002	2002/3185 (W.301)
Adran 152 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 152 (partially)	19 December 2002	2002/3185 (W.301)
Adran 154	31 Mawrth 2004	2004/912 (Cy.95)	Section 154	31 March 2004	2004/912 (W.95)
Adran 155	1 Medi 2004	2004/1728 (Cy.172)	Section 155	1 September 2004	2004/1728 (W.172)
Adran 156	31 Mawrth 2004	2004/912 (Cy.95)	Section 156	31 March 2004	2004/912 (W.95)
Adrannau 157 i 174	1 Ionawr 2004	2003/2961 (Cy.278)	Sections 157 to 174	1 January 2004	2003/2961 (W.278)
Adran 176	1 Medi 2004	2004/1728 (Cy.172)	Section 176	1 September 2004	2004/1728 (W.172)
Adran 177	1 Awst 2004	2004/912 (Cy.95)	Section 177	1 August 2004	2004/912 (W.95)
Adran 178(1) a (4)	1 Awst 2003	2003/1718 (Cy.185)	Section 178(1) and (4)	1 August 2003	2003/1718 (W.185)
Adran 179 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 179 (partially)	19 December 2002	2002/3185 (W.301)
Adran 180	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 180	19 December 2002	2002/3185 (W.301)
Adrannau 181 i 185	1 Medi 2003	2003/1718 (Cy.185)	Sections 181 to 185	1 September 2003	2003/1718 (W.185)
Adran 188 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 188 (partially)	19 December 2002	2002/3185 (W.301)
(yn rhannol)	1 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	1 December 2003	2003/2961 (W.278)
Adran 189 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 189 (partially)	19 December 2002	2002/3185 (W.301)

Adrannau 191 i 194	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 191 to 194	19 December 2002	2002/3185 (W.301)
Adran 195 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 195 (partially)	31 March 2003	2002/3185 (W.301)
(yn llawn)	1 Medi 2003	2002/3185 (Cy.301)	(fully)	1 September 2003	2002/3185 (W.301)
Adran 196	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 196	19 December 2002	2002/3185 (W.301)
Adran 197	1 Medi 2003	2003/1718 (Cy.185)	Section 197	1 September 2003	2003/1718 (W.185)
Adran 198	31 Mawrth 2004	2004/912 (Cy.95)	Section 198	31 March 2004	2004/912 (W.95)
Adran 199	1 Medi 2003	2003/1718 (Cy.185)	Section 199	1 September 2003	2003/1718 (W.185)
Adran 200	31 Mawrth 2003	2002/3185 (Cy.301)	Section 200	31 March 2003	2002/3185 (W.301)
Adran 201 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 201 (partially)	31 March 2003	2002/3185 (W.301)
Adrannau 202 a 203	1 Medi 2003	2003/1718 (Cy.185)	Sections 202 and 203	1 September 2003	2003/1718 (W.185)
Adran 206	1 Medi 2003	2003/1718 (Cy.185)	Section 206	1 September 2003	2003/1718 (W.185)
Adran 207 a 208	9 Ionawr 2004	2003/2961 (Cy.278)	Section 207 and 208	9 January 2004	2003/2961 (W.278)
Adran 215 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 215 (partially)	19 December 2002	2002/3185 (W.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	(partially)	31 March 2003	2002/3185 (W.301)
(yn rhannol)	1 Awst 2003	2003/1718 (Cy.185) a 2003/1667	(partially)	1 August 2003	2003/1718 (W.185) and 2003/1667
(yn rhannol)	1 Medi 2003	2002/3185 (Cy.301) a 2003/1718 (Cy.185)	(partially)	1 September 2003	2002/3185 (W.301) and 2003/1718 (W.185)
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	4 December 2003	2003/2961 (W.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)	(partially)	1 January 2004	2003/2961 (W.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	(partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)
(yn rhannol)	1 Awst 2004	2004/912 (Cy.95) a 2004/1728 (Cy.172)	(partially)	1 August 2004	2004/912 (W.95) and 2004/1728 (W.172)

(yn rhannol)	1 Medi 2004	2004/1728 (Cy.172)	(partially)	1 September 2004	2004/1728 (W.172)
Atodlen 1, paragraff 3 (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	Schedule 1, paragraph 3 (partially)	1 September 2003	2003/1718 (W.185)
Atodlen 3, paragraffau 1 i 5	1 Medi 2003	2003/1718 (Cy.185)	Schedule 3, paragraphs 1 to 5	1 September 2003	2003/1718 (W.185)
Atodlen 4, paragraffau 1 a 4	9 Ionawr 2004	2003/2961 (Cy.278)	Schedule 4, paragraphs 1 and 4	9 January 2004	2003/2961 (W.278)
Paragraff 12(1), (3) i (5)	31 Mawrth 2004	2004/912 (Cy.95)	Paragraph 12(1), (3) to (5)	31 March 2004	2004/912 (W.95)
Atodlen 5	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 5	19 December 2002	2002/3185 (W.301)
Atodlen 9	1 Awst 2004	2004/1728 (Cy.172)	Schedule 9	1 August 2004	2004/1728 (W.172)
Atodlen 10, paragraffau 1, 6, 11 a 15	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 10, paragraphs 1, 6, 11 and 15	19 December 2002	2002/3185 (W.301)
Atodlen 11	1 Hydref 2002	2002/2439	Schedule 11	1 October 2002	2002/2439
Atodlen 12, paragraffau 1, 2, 4(1) a (3), 6 a 7	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 12, paragraphs 1, 2, 4(1) and (3), 6 and 7	19 December 2002	2002/3185 (W.301)
Paragraff 12(1) a (2)	31 Mawrth 2003	2002/3185 (Cy.301)	Paragraph 12(1) and (2)	31 March 2003	2002/3185 (W.301)
Atodlen 13, paragraffau 1 i 3, 5, 6, 7(1) a (3) ac 8	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 13, paragraphs 1 to 3, 5, 6, 7(1) and (3) and 8	19 December 2002	2002/3185 (W.301)
Atodlen 14, paragraffau 1 i 7	1 Medi 2004	2004/1728 (Cy.172)	Schedule 14, paragraphs 1 to 7	1 September 2004	2004/1728 (W.172)
Atodlen 16, paragraffau 1 i 3	1 Rhagfyr 2003	2003/2961 (Cy.278)	Schedule 16, paragraphs 1 to 3	1 December 2003	2003/2961 (W.278)
Paragraffau 4 i 9	19 Rhagfyr 2002	2002/3185 (Cy.301)	Paragraphs 4 to 9	19 December 2002	2002/3185 (W.301)
Atodlen 17, paragraffau 5(1) i (4), (6) a 6 i 8	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 17, paragraphs 5(1) to (4), (6) and 6 to 8	19 December 2002	2002/3185 (W.301)
Atodlen 18, paragraffau 1, 4, 5 a 7	31 Mawrth 2003	2002/3185 (Cy.301)	Schedule 18, paragraphs 1, 4, 5 and 7	31 March 2003	2002/3185 (W.301)
Paragraff 8 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Paragraph 8 (partially)	31 March 2003	2002/3185 (W.301)
Paragraffau 13 i 15	31 Mawrth 2003	2002/3185 (Cy.301)	Paragraphs 13 to 15	31 March 2003	2002/3185 (W.301)
Paragraffau 2, 3, 6, 8 (yn llawn), 9 i 12 ac 16 i 18	1 Medi 2003	2002/3185 (Cy.301)	Paragraphs 2, 3, 6, 8 (fully), 9 to 12 and 16 to 18	1 September 2003	2002/3185 (W.301)

Atodlen 19	1 Medi 2003	2003/1718 (Cy.185)	Schedule 19	1 September 2003	2003/1718 (W.185)
Atodlen 20	1 Medi 2003	2003/1718 (Cy.185)	Schedule 20	1 September 2003	2003/1718 (W.185)
Atodlen 21 (yn rhannol)	1 Hydref 2002	2002/2439	Schedule 21 (partially)	1 October 2002	2002/2439
(yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	(partially)	19 December 2002	2002/3185 (W.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	(partially)	31 March 2003	2002/3185 (W.301)
(yn rhannol)	1 Awst 2003	2003/1667	(partially)	1 August 2003	2003/1667
(yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	(partially)	1 September 2003	2003/1718 (W.185)
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	4 December 2003	2003/2961 (W.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)	(partially)	1 January 2004	2003/2961 (W.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	(partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)
(yn rhannol)	1 Awst 2004	2004/1728 (Cy.172)	(partially)	1 August 2004	2004/1728 (W.172)
(yn rhannol)	1 Medi 2004	2004/1728 (Cy.172)	(partially)	1 September 2004	2004/1728 (W.172)
Atodlen 22 (yn rhannol)	1 Hydref 2002	2002/2439	Schedule 22 (partially)	1 October 2002	2002/2439
(yn rhannol)	9 Rhagfyr 2002	2002/3185 (Cy.301)	(partially)	9 December 2002	2002/3185 (W.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	(partially)	31 March 2003	2002/3185 (W.301)
(yn rhannol)	1 Awst 2003	2003/1718 (Cy.185)	(partially)	1 August 2003	2003/1718 (W.185)
(yn rhannol)	1 Medi 2003	2002/3185 (Cy.301), 2003/1718 (Cy.185) a 2003/1667	(partially)	1 September 2003	2002/3185 (W.301), 2003/1718 (W.185) and 2003/1667
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	4 December 2003	2003/2961 (W.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)	(partially)	1 January 2004	2003/2961 (W.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	(partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)

(yn rhannol)	1 Awst 2004	2004/912 (Cy.95)	(partially)	1 August 2004	2004/912 (W.95)
(yn rhannol)	1 Medi 2004	2004/1728 (Cy.172)	(partially)	1 September 2004	2004/1728 (W.172)

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 (fel y'i diwygiwyd gan O.S. 2003/606 (wedi'i ddirymu) a 2003/2992), O.S. 2002/2952, O.S. 2003/124, O.S. 2003/1115, O.S. 2003/1667, O.S. 2003/2071 ac O.S. 2004/1318.

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 (as amended by S.I. 2003/606 (revoked) and 2003/2992), S.I. 2002/2952, S.I. 2003/124, S.I. 2003/1115, S.I. 2003/1667, S.I. 2003/2071 and S.I. 2004/1318.

2005 Rhif 1395 (Cy.109) (C.60)

ADDYSG, CYMRU

**Gorchymyn Deddf Addysg 2002
(Cychwyn Rhif 6 a Darpariaethau
Trosiannol) (Cymru)
2005**

Wedi'i wneud

24 Mai 2005

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵer a roddwyd iddo gan adran 216(4)(b) a (5) o Ddeddf Addysg 2002(1), drwy hyn yn gwneud y Gorchymyn a ganlyn:

Enwi a chymhwyso

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 6 a Darpariaethau Trosiannol) (Cymru) 2005.

2. Mae'r darpariaethau sy'n cael eu dwyn i rym gan y Gorchymyn hwn yn cael eu dwyn i rym o ran Cymru.

Dehongli

3.-(1) Yn y Gorchymyn hwn -

ystyr "Deddf 1998" ("*the 1998 Act*") yw Deddf Safonau a Fframwaith Ysgolion 1998(2); a

ystyr "Deddf 2002" ("*the 2002 Act*") yw Deddf Addysg 2002.

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

Y diwrnod penodedig

4. 31 Mai 2005 yw'r diwrnod penodedig i'r darpariaethau a bennir yn yr Atodlen i'r Gorchymyn hwn ddod i rym.

(1) 2002 p.32.

(2) 1998 p.31.

2005 No. 1395 (W.109) (C.60)

EDUCATION, WALES

**The Education Act 2002
(Commencement No. 6 and
Transitional Provisions) (Wales)
Order 2005**

Made

24 May 2005

The National Assembly for Wales, in exercise of the power conferred upon it by section 216 (4)(b) and (5) of the Education Act 2002(1), hereby makes the following Order:

Title and application

1. The title of this Order is the Education Act 2002 (Commencement No.6 and Transitional Provisions) (Wales) Order 2005.

2. Provisions brought into force by this Order are brought into force in relation to Wales.

Interpretation

3.-(1) In this Order -

"the 1998 Act" ("*Deddf 1998*") means the School Standards and Framework Act 1998(2); and

"the 2002 Act" ("*Deddf 2002*") means the Education Act 2002.

(2) In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the 2002 Act.

Appointed day

4. The day appointed for the coming into force of the provisions specified in the Schedule to this Order is 31 May 2005.

(1) 2002 c.32.

(2) 1998 c.31.

Darpariaethau Trosiannol

5.-(1) Ni fydd y diwygiadau a wnaed gan baragraff 3 o Atodlen 4 yn gymwys o ran derbyn plant mewn blwyddyn ysgol yn gynharach na 2007-2008.

(2) Er bod paragraff 10 a 11 o Atodlen 4 yn dod i rym, nid yw'r diwygiadau i adrannau 96 a 97 o Ddeddf 1998 yn effeithiol o ran penderfyniad a wnaed gan awdurdod addysg lleol cyn 31 Mai 2005 sy'n cyfarwyddo ysgol benodol i dderbyn disgybl.

(3) Os bydd rhiant wedi rhoi hysbysiad o apêl yn unol â pharagraff 9 o Atodlen 24 i Ddeddf 1998 cyn 31 Mai 2005 -

(a) mae adrannau 84(6) a 94 o Ddeddf 1998 ac Atodlen 24 iddi yn parhau i fod yn effeithiol ynglyn â'r apêl honno fel pe bai adran 50, paragraffau 2 a 8 o Atodlen 4 a diddymiad Atodlen 24 i Ddeddf 1998 heb ddod i rym; a

(b) mae adran 25(5)(c) o Ddeddf Llywodraeth Leol 1974(1) yn parhau i fod yn effeithiol fel pe bai paragraff 2(a) o Atodlen 21 heb ddod i rym.

(4) Os bydd corff llywodraethu wedi rhoi hysbysiad o apêl yn unol â pharagraff 5 o Atodlen 25 i Ddeddf 1998 cyn 31 Mai 2005 -

(a) mae adrannau 84(6), 87 a 95 o Ddeddf 1998 ac Atodlen 25 iddi yn parhau i fod yn effeithiol ynglyn â'r apêl honno fel pe bai paragraffau 2 a 9 o Atodlen 4 a diddymiad Atodlen 25 i Ddeddf 1998 heb ddod i rym; a

(b) mae adran 25(5)(c) o Ddeddf Llywodraeth Leol 1974 yn parhau i fod yn effeithiol fel pe bai paragraff 2(a) o Atodlen 21 heb ddod i rym.

Llofnodwyd ar ran y Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2).

24 Mai 2005

Llywydd y Cynulliad Cenedlaethol

(1) 1974 p.7.

(2) 1998 p.38.

Transitional Provisions

5.-(1) The amendments made by paragraph 3 of Schedule 4 are not to apply in relation to the admission of children in a school year earlier than 2007-2008.

(2) Despite the coming into force of paragraphs 10 and 11 of Schedule 4, the amendments of sections 96 and 97 of the 1998 Act do not have effect in relation to a decision made by a local education authority before 31 May 2005 to direct a specified school to admit a pupil.

(3) Where a parent has given a notice of appeal in accordance with paragraph 9 of Schedule 24 to the 1998 Act before 31 May 2005 -

(a) sections 84(6) and 94 of, and Schedule 24 to, the 1998 Act are to continue to have effect in relation to that appeal as if section 50, paragraphs 2 and 8 of Schedule 4 and the repeal of Schedule 24 to the 1998 Act had not come into force; and

(b) section 25(5)(c) of the Local Government Act 1974(1) is to continue to have effect as if paragraph 2(a) of Schedule 21 had not come into force.

(4) Where a governing body has given a notice of appeal in accordance with paragraph 5 of Schedule 25 to the 1998 Act before 31 May 2005 -

(a) sections 84(6), 87 and 95 of, and Schedule 25 to, the 1998 Act are to continue to have effect in relation to that appeal as if paragraphs 2 and 9 of Schedule 4 and the repeal of Schedule 25 to the 1998 Act had not come into force; and

(b) section 25(5)(c) of the Local Government Act 1974 is to continue to have effect as if paragraph 2(a) of Schedule 21 had not come into force.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

24 May 2005

The Presiding Officer of the National Assembly

(1) 1974 c.7.

(2) 1998 c.38.

YR ATODLEN

THE SCHEDULE

Erthygl 4

Article 4

Darpariaethau sy'n dod i rym ar 31 Mai 2005

Provisions coming into force on 31 May 2005

<i>Y Ddarpariaeth</i>	<i>Y Pwnc</i>	<i>Provision</i>	<i>Subject Matter</i>
Adran 50	Apelau derbyn	Section 50	Admission appeals
Adran 51 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 4 isod	Diwygiadau pellach o ran derbyniadau	Section 51 in so far as it relates to the provisions of Schedule 4 below	Further amendments relating to admissions
Adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 21 isod	Mân ddiwygiadau a diwygiadau canlyniadol	Section 215(1) in so far as it relates to the provisions of Schedule 21 below	Minor and consequential amendments
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau	Section 215(2) in so far as it relates to the provisions of Schedule 22 below	Repeals
Atodlen 4, paragraffau 2, 3(1), (2), (3), (4), (5), (7), (8), 8, 9, 10, 11	Trefniadau Derbyn	Schedule 4, paragraphs 2, 3(1), (2), (3), (4), (5), (7), (8), 8, 9, 10, 11	Admission Arrangements
Atodlen 21	Mân Ddiwygiadau a Diwygiadau Canlyniadol	Schedule 21	Minor and Consequential Amendments
Paragraffau 1, 2 a 22 i'r graddau nad ydynt eisoes mewn grym		Paragraphs 1, 2 and 22 in so far as not already in force	
Atodlen 22, Rhan 3, diddymu -	Diddymiadau	Schedule 22, Part 3, the repeal of -	Repeals
Deddf Safonau a Fframwaith Ysgolion 1998(1), Atodlenni 24 a 25,		School Standards and Framework Act 1998(1), Schedules 24 and 25,	
Yn Atodlen 26, paragraffau 6(4), 8(9) a 15,		In Schedule 26, paragraphs 6(4), 8(9) and 15,	
Yn Atodlen 28, Rhan 2,		In Schedule 28, Part 2,	
Yn Atodlen 30, paragraffau 3(3), 47(a).		In Schedule 30, paragraphs 3(3), 47(a).	

(1) 1998 p.31.

(1) 1998 c.31.

OFFERYNNAU STATUDOL

2005 Rhif 1395 (Cy.109) (C.60)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2002
(Cychwyn Rhif 6 a Darpariaethau
Trosiannol) (Cymru)
2005

STATUTORY INSTRUMENTS

2005 No. 1395 (W.109) (C.60)

EDUCATION, WALES

The Education Act 2002
(Commencement No. 6 and
Transitional Provisions) (Wales)
Order 2005

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