



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2009 Rhif 823 (Cy.73)

2009 No. 823 (W.73)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Addysg (Trefniadau
Apelau Derbyn) (Cymru)
(Diwygio) 2009

The Education (Admission Appeals
Arrangements) (Wales)
(Amendment) Regulations 2009

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Addysg (Trefniadau Apelau Derbyn) (Cymru) 2005, ac yn dod i rym ar 22 Ebrill 2009.

These Regulations amend the Education (Admission Appeals Arrangements) (Wales) Regulations 2005, and come into force on 22 April 2009.

Mae'r diwygiad yn Rheoliad 2(2) yn ei gwneud yn ofynnol i Banelau Apêl sy'n gwrandao apelau sy'n ymwneud â maint dosbarth babanod ystyried a oedd y penderfyniad gwreiddiol yn un y byddai awdurdod derbyn rhesymol wedi'i wneud o dan amgylchiadau'r achos.

The amendment in regulation 2(2) requires Appeal Panels hearing appeals which concern infant class size to consider whether the original decision was one which a reasonable admission authority would have made in the circumstances of the case.

Mae rheoliad 2 yn rhoi Atodlen 2(3) newydd yn lle'r hen un yn Rheoliadau 2005. Mae'r Atodlen newydd yn gwneud darpariaeth ar gyfer apelau mewn achosion lle mae penderfyniadau yn cael eu gwneud am blant sy'n mynd i'r chweched dosbarth, neu sy'n cael addysg ar ôl iddynt beidio â bod yn blant o oedran ysgol gorfodol. Mewn achosion lle mae'r plentyn ac unrhyw un o rieni'r plentyn yn gwneud apelau mewn cysylltiad â'r un ysgol, rhaid i'r apelau gael eu gwrandao gyda'i gilydd. Mae'r Atodlen newydd yn dileu cyfeiriadau at y Cyngor Tribiwnlysoedd. Mae gan y Cyngor Cyfiawnder Gweinyddol a Thribiwnlysoedd, sydd wedi disodli'r Cyngor Tribiwnlysoedd, hawl awtomatig i fod yn bresennol mewn gwrandawiadau y mae ganddo awdurdodaeth drostynt, ac felly nid oes angen mwyach am y darpariaethau a hepgorwyd. Ar ben hynny, caniateir i sylwedyddion fod yn bresennol mewn gwrandawiadau panelau apêl at ddibenion arfarnu a hyfforddi.

Regulation 2(3) substitutes a new Schedule 2 in the 2005 Regulations. The new Schedule makes provision for appeals in cases where decisions are made about children entering the sixth form, or receiving education after they have ceased to be of compulsory school age. In cases where the child and any parent of the child make appeals in respect of the same school, the appeals must be heard together. The new Schedule removes references to the Council on Tribunals. The Administrative Justice and Tribunals Council, which has replaced the Council on Tribunals, has an automatic right to attend hearings over which it has jurisdiction, so the omitted provisions are no longer required. In addition, observers will be permitted to attend appeal panel hearings for the purposes of appraisal and training.

2009 Rhif 823 (Cy.73)

ADDYSG, CYMRU

**Rheoliadau Addysg (Trefniadau
Apelau Derbyn) (Cymru)
(Diwygio) 2009**

<i>Gwnaed</i>	<i>31 Mawrth 2009</i>
<i>Gosodwyd gerbron Cynulliad Cenedlaethol Cymru</i>	<i>1 Ebrill 2009</i>
<i>Yn dod i rym</i>	<i>22 Ebrill 2009</i>

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 94(5A), 95(3A) a 138(7) ac (8) o Ddeddf Safonau a Fframwaith Ysgolion 1998(1) ac a freiniwyd bellach ynddynt hwy(2), ac ar ôl ymgynghori â'r Cyngor Cyfiawnder Gweinyddol a Thribiwnlysoedd yn unol ag Atodlen 7 i Ddeddf Tribiwnlysoedd, Llysoedd a Gorfodi 2007(3), drwy hyn yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwysu

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Trefniadau Apelau Derbyn) (Cymru) (Diwygio) 2009, a deuant i rym ar 22 Ebrill 2009.

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

Diwygio Rheoliadau

2.—(1) Mae Rheoliadau Addysg (Trefniadau Apelau Derbyn) (Cymru) 2005(4) wedi'u diwygio fel a ganlyn.

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- (1) 1998 p.31. Cafodd is-adran 94(5A) ei mewnosod gan adran 50, ac is-adran 95(3A) gan adran 51, Atodlen 4, paragraff 9 o Ddeddf Addysg 2002 (p.32).
- (2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weiniogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).
- (3) 2007 p.15. Mae paragraff 24(1) o Atodlen 7 i Ddeddf Tribiwnlysoedd, Llysoedd a Gorfodi 2007 yn cyfarwyddo nad yw p?er Gweinidogion Cymru i wneud, cymeradwyo neu gadarnhau rheolau gweithdrefnol ar gyfer unrhyw dribiwnlys rhestredig neu gydsynio â'r rheolau hynny yn arferadwy ond ar ôl iddynt ymgynghori â'r Cyngor.
- (4) O.S. 2005/1398 (Cy.112).

2009 No. 823 (W.73)

EDUCATION, WALES

**The Education (Admission Appeals
Arrangements) (Wales)
(Amendment) Regulations 2009**

<i>Made</i>	<i>31 March 2009</i>
<i>Laid before the National Assembly for Wales</i>	<i>1 April 2009</i>
<i>Coming into force</i>	<i>22 April 2009</i>

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 94(5A), 95(3A) and 138(7) and (8) of the School Standards and Framework Act 1998(1) and now vested in them(2), and after consultation with the Administrative Justice and Tribunals Council in accordance with Schedule 7 to the Tribunals, Courts and Enforcement Act 2007(3), hereby make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Admission Appeals Arrangements) (Wales) (Amendment) Regulations 2009, and they come into force on 22 April 2009.

(2) These Regulations apply in relation to Wales.

Amendment of Regulations

2.—(1) The Education (Admission Appeals Arrangements) (Wales) Regulations 2005(4) are amended as follows.

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- (1) 1998 c.31. Sub-section 94(5A) was inserted by section 50 and sub-section 95(3A) was inserted by section 51, Schedule 4, paragraph 9 of the Education Act 2002 (c.32).
- (2) The functions of the Secretary of State under these sections were 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).
- (3) 2007 c.15. Paragraph 24(1) of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007 directs that the power of the Welsh Ministers to make, approve, confirm or concur in procedural rules for any listed tribunal is exercisable only after consultation with the Council.
- (4) S.I. 2005/1398 (W.112).

(2) Yn rheoliad 6(2)(a), yn lle "yn ei wneud", rhodder "wedi ei wneud".

(3) Yn lle Atodlen 2, rhodder y canlynol —

"ATODLEN 2

Rheoliad 5

Y Weithdrefn Apelio

Apelau a wneir yn unol ag adran 94

1.—(1) Yn y paragraff hwn—

ystyr "apêl" yw apêl a wneir o dan y trefniadau a bennir yn rheoliad 3(a) i (ch); ac ystyr "penderfyniad ynghylch addysg chweched dosbarth" yw penderfyniad—

- (a) a wneir mewn perthynas â hoff ddewis sydd wedi'i fynegi yn unol â'r trefniadau a wneir o dan adran 86A(1) ynghylch lle dylid darparu addysg i blentyn; neu
- (b) sy'n gwrthod caniatâd i blentyn i fynd i chweched dosbarth yr ysgol y mae'r plentyn wedi'i dderbyn iddi.

(2) Rhaid i fanylion y trefniadau ar gyfer gwneud apêl, gan gynnwys yr wybodaeth sy'n cynnwys y manylion cyswllt ar gyfer pa gorff neu gyrrff bynnag sy'n gyfrifol am y trefniadau hynny, gael eu rhoi mewn unrhyw ddogfen sy'n cynnwys hysbysiad i rieni am—

- (a) penderfyniad y cyfeirir ato yn adran 94(1)(za), (b) a (2) ac sy'n gwrthod derbyn eu plentyn i ysgol y mae'r rhieni wedi mynegi mai hi yw eu hoff ddewis yn unol â'r trefniadau a wneir o dan adran 86(1); neu
- (b) penderfyniad y cyfeirir ato yn adran 94(1)(a) o ran yr ysgol y mae addysg i'w darparu ynddi i'w plentyn.

(3) Yn achos penderfyniad ynghylch addysg chweched dosbarth, rhaid anfon at y plentyn a rhieni'r plentyn hysbysïadau sy'n cynnwys y canlynol—

- (a) hysbysiad o—
 - (i) penderfyniad y cyfeirir ato yn adran 94(1)(za), (b) a (2) ac sy'n gwrthod derbyn y plentyn i ysgol y mae'r plentyn neu unrhyw un o rieni'r plentyn wedi mynegi mai hi yw eu hoff ddewis yn unol â'r trefniadau a wneir o dan adran 86A(1);
 - (ii) penderfyniad y cyfeirir ato yn adran 94(1)(a) o ran yr ysgol y mae addysg i'w darparu ynddi i'r plentyn; neu

(2) In regulation 6(2)(a) for "would make" substitute "would have made".

(3) For Schedule 2, substitute the following—

"SCHEDULE 2

Regulation 5

Procedure on Appeal

Appeals made pursuant to section 94

1.—(1) In this paragraph—

"appeal" means an appeal made under the arrangements specified in regulation 3(a) to (d); and

"a decision about sixth form education" means a decision—

- (a) made in relation to a preference expressed in accordance with arrangements made under section 86A(1) as to where education should be provided for a child; or
- (b) refusing permission for a child to enter the sixth form of the school to which the child has been admitted.

(2) Particulars of the arrangements for making an appeal, including information containing the contact details for whichever body or bodies are responsible for those arrangements, must be set out in any document containing a notification to parents of—

- (a) a decision referred to in section 94(1)(za), (b) and (2) refusing their child admission to a school for which the parents have expressed a preference in accordance with the arrangements made under section 86(1); or
- (b) a decision referred to in section 94(1)(a) as to the school at which education is to be provided for their child.

(3) In the case of a decision about sixth form education, notices must be sent to the child and the child's parents containing the following—

- (a) notification of —
 - (i) a decision referred to in section 94(1)(za), (b) and (2) refusing the child admission to a school for which the child or any parent of the child has expressed a preference in accordance with the arrangements made under section 86A(1);
 - (ii) a decision referred to in section 94(1)(a) as to the school at which education is to be provided for the child; or

- (iii) penderfyniad y cyfeirir ato yn adran 94(1A) neu (2A) ac sy'n gwrthod caniatâd i blentyn sydd eisoes wedi'i dderbyn i ysgol i fynd i chweched dosbarth yr ysgol honno;
- (b) manylion y trefniadau ar gyfer gwneud apêl, gan gynnwys gwybodaeth sy'n cynnwys y manylion cyswllt ar gyfer yr awdurdod priodol; ac
- (c) pan fo plentyn ac unrhyw un o rieni'r plentyn yn gwneud apelau ar wahân mewn cysylltiad â'r un ysgol, datganiad sy'n esbonio bod rhaid i'r apelau gael eu gwranddo gyda'i gilydd.

(4) Pan fo plentyn ac unrhyw un o rieni'r plentyn yn gwneud apelau ar wahân mewn cysylltiad â'r un ysgol, rhaid i'r apelau gael eu gwranddo gyda'i gilydd.

(5) Rhaid i apêl fod drwy hysbysiad ysgrifenedig sy'n nodi'r sail dros ei gwneud.

(6) Rhaid i banel apêl roi cyfle i'r apelydd ymddangos a gwneud sylwadau llafar, a chaniatáu iddo gael ei hebrwng gan gyfaill neu gael ei gynrychioli.

(7) Rhaid i apêl gael ei gwranddo'n breifat ac eithrio pan fydd y corff neu'r cyrff sydd wedi gwneud y trefniadau o dan adran 94 yn cyfarwyddo fel arall; ond—

- (a) os yw'r panel yn cyfarwyddo hynny, caiff un aelod o'r awdurdod lleol fod yn bresennol, fel sylwedydd, mewn unrhyw wrandawriad apêl gan banel apêl a gyfansoddir yn unol â pharagraff 1 o Atodlen 1;
- (b) os yw'r panel yn cyfarwyddo hynny, caiff un aelod o gorff llywodraethu'r ysgol o dan sylw fod yn bresennol, fel sylwedydd, mewn unrhyw wrandawriad apêl gan banel apêl a gyfansoddir yn unol â pharagraff 1 neu 2 o Atodlen 1 (neu yn unol â pharagraff 2 fel y mae'n gymwys yn rhinwedd paragraff 3 o'r Atodlen honno); ac
- (c) os yw'r panel yn cyfarwyddo hynny, caiff unrhyw berson fod yn bresennol mewn gwrandawriad o apêl at y dibenion canlynol—
 - (i) hyfforddiant; neu
 - (ii) arfarnu perfformiad y clercod neu aelodau o'r panel apêl.

(8) At ddibenion is-baragraff (7), mae apêl at banel apêl a gyfansoddir yn unol â pharagraff 1 o Atodlen 1, fel y mae'n gymwys yn rhinwedd paragraff 4 o'r Atodlen honno, i'w thrin—

(iii) a decision referred to in section 94(1A) or (2A) refusing permission for a child who has already been admitted to a school to enter the school's sixth form;

- (b) particulars of the arrangements for making an appeal, including information containing the contact details for the appropriate authority; and
- (c) a statement explaining that where a child and any parent of the child make separate appeals in respect of the same school, the appeals must be heard together.

(4) Where a child and any parent of the child make separate appeals in respect of the same school, the appeals must be heard together.

(5) An appeal must be by notice in writing setting out the grounds on which it is made.

(6) An appeal must give the appellant an opportunity of appearing and making oral representations, and allow him or her to be accompanied by a friend or to be represented.

(7) An appeal must be heard in private except where the body or bodies by whom the arrangements under section 94 are made direct otherwise; but—

- (a) if the panel so directs, one member of the local authority may attend, as an observer, any hearing of an appeal by an appeal panel constituted in accordance with paragraph 1 of Schedule 1;
- (b) if the panel so directs, one member of the governing body of the school in question may attend, as an observer, any hearing of an appeal by an appeal panel constituted in accordance with paragraph 1 or 2 of Schedule 1 (or in accordance with paragraph 2 as it applies by virtue of paragraph 3 of that Schedule); and
- (c) if the panel so directs, any person may attend a hearing of an appeal for the following purposes—
 - (i) training; or
 - (ii) appraisal of the performance of clerks or appeal panel members.

(8) For the purposes of sub-paragraph (7), an appeal to an appeal panel constituted in accordance with paragraph 1 of Schedule 1, as it applies by virtue of paragraph 4 of that Schedule, is to be treated—

(a) yn apel at banel apel a gyfansoddir yn unol â pharagraff 1 o'r Atodlen honno os yw'n ymwneud ag ysgol gymunedol neu ysgol wirfoddol a reolir; a

(b) yn apel at banel apel a gyfansoddir yn unol â pharagraff 2 o'r Atodlen honno, os yw'n ymwneud ag ysgol sylfaen neu ysgol wirfoddol a gynorthwyir.

(9) Os bydd aelodau panel apel yn anghytuno â'i gilydd, bydd yr apel sy'n cael ei hystyried i'w phenderfynu gan fwyafrif syml o'r pleidleisiau a fwriwyd ac, os bydd nifer y pleidleisiau yn gyfartal, bydd gan gadeirydd y panel ail bleidlais neu bleidlais fwrw.

(10) Rhaid rhoi gwybod am benderfyniad panel apel a'r sail dros ei gwneud yn ysgrifenedig i'r canlynol—

(a) yr apelydd a'r awdurdod lleol;

(b) yn achos apel sy'n cael ei gwrandio ar y cyd ag apel arall yn unol â pharagraff 1(4), yr apelydd yn yr apel arall; ac

(c) yn achos apel i banel apel a gyfansoddir yn unol â pharagraff 2 o Atodlen 1, (neu yn unol â'r paragraff hwnnw fel y mae'n gymwys yn rhinwedd paragraff 3 o'r Atodlen honno), i'r corff llywodraethu a wnaeth y penderfyniad yr apeliwyd yn ei erbyn neu'r corff llywodraethu yr apeliwyd yn erbyn y penderfyniad a wnaed ar ei ran.

(11) At ddibenion is-baragraff (10), bydd apel i banel apel a gyfansoddir yn unol â pharagraff 1 o Atodlen 1, fel y mae'n gymwys yn rhinwedd paragraff 4 o'r Atodlen honno, i'w thrin fel apel i banel apel a gyfansoddir yn unol â pharagraff 2 o'r Atodlen honno, os bydd yn ymwneud ag ysgol sefydledig neu ysgol wirfoddol a gynorthwyir.

(12) Yn ddarostyngedig i is-baragraffau (2) i (11), bydd pob mater sy'n ymwneud â'r weithdrefn apelio, gan gynnwys y cyfnod y maent i'w dwyn o'i fewn, i'w penderfynu gan yr awdurdod priodol.

Apelau a wneir yn unol ag adran 95

2.—(1) Yn y paragraff hwn ystyr "apel" yw apel a wneir o dan y trefniadau a bennir yn rheoliad 3(e).

(2) Pan fydd unrhyw benderfyniad o'r math a grybwyllir yn adran 95(2) wedi'i wneud gan yr awdurdod lleol neu ar ei ran, rhaid i'r awdurdod hysbysu corff llywodraethu'r ysgol yn ysgrifenedig am—

(a) y penderfyniad hwnnw; a

(b) hawl y corff llywodraethu i apelio yn erbyn y penderfyniad yn unol ag is-baragraff (3).

(a) as an appeal to an appeal panel constituted in accordance with paragraph 1 of that Schedule if it relates to a community or voluntary controlled school; and

(b) as an appeal to an appeal panel constituted in accordance with paragraph 2 of that Schedule, if it relates to a foundation or voluntary aided school.

(9) In the event of a disagreement between the members of an appeal panel, the appeal under consideration is to be decided by a simple majority of the votes cast and, in the case of an equality of votes, the chair of the panel is to have a second or casting vote.

(10) The decision of an appeal panel and the grounds on which it is made must be communicated by the panel in writing to—

(a) the appellant and the local authority,

(b) in the case of an appeal heard jointly with another appeal in accordance with paragraph 1(4), to the appellant in the other appeal; and

(c) in the case of an appeal to an appeal panel constituted in accordance with paragraph 2 of Schedule 1, (or in accordance with that paragraph as it applies by virtue of paragraph 3 of that Schedule), to the governing body by whom or on whose behalf the decision appealed against was made.

(11) For the purposes of sub-paragraph (10), an appeal to an appeal panel constituted in accordance with paragraph 1 of Schedule 1, as it applies by virtue of paragraph 4 of that Schedule, is to be treated as an appeal to an appeal panel constituted in accordance with paragraph 2 of that Schedule, if it relates to a foundation or voluntary aided school.

(12) Subject to sub-paragraphs (2) to (11), all matters relating to the procedure on appeals, including the time within which they are to be brought, are to be determined by the appropriate authority.

Appeals made pursuant to section 95

2.—(1) In this paragraph "appeal" means an appeal made under the arrangements specified in regulation 3(e).

(2) Where any such decision as is mentioned in section 95(2) is made by or on behalf of the local authority, the authority must give the governing body of the school notice in writing—

(a) of that decision; and

(b) of the governing body's right to appeal against the decision in accordance with sub-paragraph (3).

(3) Rhaid i unrhyw apêl gan y corff llywodraethu yn erbyn unrhyw benderfyniad o'r fath beidio â chael ei gwneud ar ôl y pymthegfed diwrnod ysgol ar ôl y diwrnod pan hysbysir ef o dan is-baragraff (2)

(4) Rhaid i apêl fod drwy hysbysiad ysgrifenedig sy'n nodi'r sail dros ei gwneud.

(5) Rhaid i'r panel apêl gyfarfod i ystyried apêl ar unrhyw ddyddiad y bydd yr awdurdod addysg lleol yn penderfynu arno ond rhaid i'r dyddiad y penderfynir arno felly beidio â bod ar ôl y pymthegfed diwrnod ysgol ar ôl y diwrnod y daw'r hysbysiad y cyfeirir ato yn is-baragraff (4) i law'r awdurdod hwnnw.

(6) Ar apêl rhaid i'r panel ganiatáu—

(a) i'r awdurdod lleol a'r corff llywodraethu wneud sylwadau ysgrifenedig;

(b) i un o swyddogion yr awdurdod a enwebir gan yr awdurdod, a llywodraethwr a enwebir gan y corff llywodraethu, ymddangos a gwneud sylwadau llafar; ac

(c) i'r corff llywodraethu gael ei gynrychioli.

(7) Rhaid i apelau gael eu gwrando'n breifat ac eithrio pan fydd yr awdurdod lleol yn cyfarwyddo fel arall; ond—

(a) os yw'r panel yn cyfarwyddo hynny, caiff un aelod o'r awdurdod lleol fod yn bresennol, fel sylwedydd, mewn gwrandawriad o apêl gan banel apêl;

(b) os yw'r panel yn cyfarwyddo hynny, caiff unrhyw berson fod yn bresennol mewn unrhyw wrandawriad o apêl at y dibenion a ganlyn—

(i) hyfforddiant; neu

(ii) arfarnu perfformiad y clercod neu aelodau o'r panel apêl.

(8) Caniateir cyfuno dwy neu ragor o apelau ac ymdrin â hwy yn yr un achos os yw'r panel apêl yn ystyried bod hynny'n hwylus oherwydd mai'r un rhai yw'r materion a godir gan yr apelau neu oherwydd eu bod yn gysylltiedig.

(9) Os bydd aelodau panel apêl yn anghytuno â'i gilydd, bydd yr apêl sy'n cael ei hystyried i'w phenderfynu gan fwyafrif syml o'r pleidleisiau a fwriwyd ac, os bydd nifer y pleidleisiau yn gyfartal, bydd gan gadeirydd y panel ail bleidlais neu bleidlais fwrw.

(10) Rhaid i'r panel roi gwybod am benderfyniad panel apêl a'r sail dros ei wneud—

(a) yn ysgrifenedig i'r awdurdod lleol a'r corff llywodraethu; a

(b) erbyn diwedd yr ail ddiwrnod ar ôl i wrandawriad yr apêl ddod i ben.

(3) An appeal by the governing body against any such decision must be made not later than the fifteenth school day after the day on which they are given notice under sub-paragraph (2).

(4) An appeal must be by notice in writing setting out the grounds on which it is made.

(5) The appeal panel must meet to consider an appeal on such date as the local authority may determine but the date so determined must not be later than the fifteenth school day after the day on which the notice referred to in sub-paragraph (4) is received by that authority.

(6) On an appeal the panel must allow—

(a) the local authority and the governing body to make written representations;

(b) an officer of the authority nominated by the authority, and a governor nominated by the governing body, to appear and make oral representations; and

(c) the governing body to be represented.

(7) Appeals must be heard in private except when the local authority direct otherwise; but—

(a) if the panel so direct, one member of the local authority may attend, as an observer, any hearing of an appeal by an appeal panel;

(b) if the panel so direct, any person may attend a hearing of an appeal for the following purposes—

(i) training; or

(ii) appraisal of the performance of clerks or appeal panel members.

(8) Two or more appeals may be combined and dealt with in the same proceedings if the appeal panel consider that it is expedient to do so because the issues raised by the appeals are the same or connected.

(9) In the event of a disagreement between the members of an appeal panel, the appeal under consideration is to be decided by a simple majority of the votes cast and, in the case of an equality of votes, the chair of the panel is to have a second or casting vote.

(10) The decision of an appeal panel and the grounds on which it is made must—

(a) be communicated by the panel in writing to the local authority and the governing body; and

(b) be so communicated by the end of the second day after the conclusion of the hearing of the appeal.

(11) Yn ddarostyngedig i is-baragraffau (2) i (10), mae pob mater sy'n ymwneud â'r weithdrefn apelio i'w benderfynu gan yr awdurdod addysg lleol."

(11) Subject to sub-paragraphs (2) to (10), all matters relating to the procedure on appeals are to be determined by the local authority."

Jane Hutt

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, un o Weinidogion Cymru

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

31 Mawrth 2009

31 March 2009

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ADDYSG, CYMRU

Rheoliadau Addysg (Trefniadau
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(Diwygio) 2009

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