OFFERYNNAU STATUDOL CYMRU

2015 Rhif 1793 (Cy. 253)

ADDYSG, CYMRU

Rheoliadau Addysg (Unedau Cyfeirio Disgyblion) (Cymhwyso Deddfiadau) (Cymru) (Diwygio) 2015

NODYN ESBONIADOL

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

Mae adran 19 o Ddeddf Addysg 1996 ("y Ddeddf") yn ei gwneud yn ofynnol i awdurdodau lleol wneud trefniadau i ddarparu addysg addas yn yr ysgol neu ac eithrio yn yr ysgol ar gyfer y plant hynny o oedran ysgol gorfodol nad ydynt, oherwydd salwch, gwaharddiad o'r ysgol neu fel arall, yn gallu derbyn am unrhyw gyfnod addysg addas oni wneir trefniadau o'r fath ar eu cyfer. Adnabyddir unrhyw ysgol a sefydlwyd ac a gynhelir gan awdurdod lleol sydd wedi ei threfnu'n arbennig i ddarparu addysg ar gyfer plant o'r fath yn uned cyfeirio disgyblion.

Mae Atodlen 1 i'r Ddeddf yn darparu ar gyfer rheoliadau sy'n cymhwyso deddfiadau i unedau cyfeirio disgyblion.

Mae Rheoliadau Addysg (Unedau Cyfeirio Disgyblion) (Cymhwyso Deddfiadau) (Cymru) 2007 ("Rheoliadau 2007") yn cymhwyso amrywiol ddeddfiadau addysg i unedau cyfeirio disgyblion yng Nghymru. Mae'r Rheoliadau hyn yn diwygio Rheoliadau 2007 er mwyn mewnosod paragraff 16 newydd yn Rhan 2 o Atodlen 1. Effaith y paragraff 16 newydd yn Rhan 2 o Atodlen 1 i Reoliadau 2007 yw cymhwyso Rheoliadau Addysg (Cynlluniau Datblygu Ysgolion) (Cymru) 2014 i Unedau Cyfeirio Disgyblion fel y maent yn gymwys i ysgolion a gynhelir.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ni thybiwyd bod angen llunio asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

WELSH STATUTORY INSTRUMENTS

2015 No. 1793 (W. 253)

EDUCATION, WALES

The Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 19 of the Education Act 1996 ("the Act") requires local authorities to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. Any school established and maintained by a local authority which is specially organised to provide education for such children is known as a pupil referral unit.

Schedule 1 to the Act provides for regulations to apply enactments to pupil referral units.

The Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007 ("the 2007 Regulations") apply various education enactments to pupil referral units in Wales. These Regulations amend the 2007 Regulations to insert a new paragraph 16 in Part 2 of Schedule 1. The effect of the new paragraph 16 in Part 2 of Schedule 1 to the 2007 Regulations is to apply the Education (School Development Plans) (Wales) Regulations 2014 to Pupil Referral Units as they apply to maintained schools.

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.

OFFERYNNAU STATUDOL CYMRU

2015 Rhif 1793 (Cy. 253)

ADDYSG, CYMRU

Rheoliadau Addysg (Unedau Cyfeirio Disgyblion) (Cymhwyso Deddfiadau) (Cymru) (Diwygio) 2015

Gwnaed	*12 Hydref 2015*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*15 Hydref 2015*
Yn dod i rym	*6 Tachwedd 2015*

Drwy arfer eu pwerau o dan adran 569(4) a (5) o Ddeddf Addysg 1996(**1**) a pharagraff 3 o Atodlen 1 iddi, mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Unedau Cyfeirio Disgyblion) (Cymhwyso Deddfiadau) (Cymru) (Diwygio) 2015 a deuant i rym ar 6 Tachwedd 2015.

(2) Mae'r Rheoliadau hyn yn gymwys o ran unedau cyfeirio disgyblion yng Nghymru.

Diwygio

2. Yn lle paragraff 16 a'i bennawd yn Rhan 2 o Atodlen 1 i Reoliadau Addysg (Unedau Cyfeirio Disgyblion) (Cymhwyso Deddfiadau) (Cymru) 2007(**2**) rhodder—

(**1**) 1996 p. 56. Rhoddwyd y pwerau i'r Ysgrifennydd Gwladol: *gweler* y diffiniad o "regulations" yn adran 579 o Ddeddf 1996. Yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), mae'r pwerau yn arferadwy gan y Cynulliad o ran Cymru ac yn rhinwedd paragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32), maent yn arferadwy bellach gan Weinidogion Cymru.

(**2**) O.S. 2007/1069 (Cy. 109) fel y'i diwygiwyd gan O.S. 2014/2677 (Cy. 265).

WELSH STATUTORY INSTRUMENTS

2015 No. 1793 (W. 253)

EDUCATION, WALES

The Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015

Made	*12 October 2015*
Laid before the National Assembly for Wales	*15 October 2015*
Coming into force	*6 November 2015*

In the exercise of their powers under section 569(4) and (5) of, and paragraph 3 of Schedule 1 to, the Education Act 1996(**1**), the Welsh Ministers make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015 and they come into force on 6 November 2015.

(2) These Regulations apply in relation to pupil referral units in Wales.

Amendment

2. For paragraph 16 and its heading in Part 2 of Schedule 1 to the Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007(**2**) substitute—

(**1**) 1996 c. 56. The powers were conferred upon the Secretary of State: *see* the definition of "regulations" in section 579 of the 1996 Act. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers are exercisable by the Assembly in relation to Wales and by virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) are now exercisable by the Welsh Ministers.

(**2**) S.I. 2007/1069 (W. 109) as amended by S.I. 2014/2677 (W. 265).

“**Rheoliadau Addysg (Cynlluniau Datblygu Ysgolion) (Cymru) 2014**

16. Mae Rheoliadau Addysg (Cynlluniau Datblygu Ysgolion) (Cymru) 2014(**1**) yn gymwys o ran unedau fel y maent yn gymwys o ran ysgolion a gynhelir.”

“**Education (School Development Plans) (Wales) Regulations 2014**

16. The Education (School Development Plans) (Wales) Regulations 2014(**1**) apply in relation to units as they apply in relation to maintained schools.”

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru
12 Hydref 2015

Minister for Education and Skills, one of the Welsh Ministers
12 October 2015

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(**1**) O.S. 2014/2677 (Cy. 265).

(**1**) S.I. 2014/2677 (W. 265).

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ADDYSG, CYMRU

Rheoliadau Addysg (Unedau Cyfeirio Disgyblion) (Cymhwyso Deddfiadau) (Cymru) (Diwygio) 2015

WELSH STATUTORY INSTRUMENTS

2015 No. 1793 (W. 253)

EDUCATION, WALES

The Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015

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