



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 794 (Cy. 148)

2019 No. 794 (W. 148)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Deddf Anghenion
Dysgu Ychwanegol a'r Tribiwnlys
Addysg (Cymru) 2018
(Darpariaethau Atodol) 2019

The Additional Learning Needs and
Education Tribunal (Wales) Act
2018 (Supplementary Provisions)
Regulations 2019

NODYN ESBONIADOL

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

Mae Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 ("Deddf 2018") yn sefydlu'r system statudol yng Nghymru ar gyfer diwallu anghenion dysgu ychwanegol plant a phobl ifanc. Mae Rhan 3 o Ddeddf 2018 yn parhau â Thribiwnlys Anghenion Addysgol Arbennig Cymru ac yn ei ailenwi'n Dribiwnlys Addysg Cymru.

Mae'r Rheoliadau hyn yn gwneud diwygiadau i adran 91 o Ddeddf 2018 sy'n darparu ar gyfer cyfansoddiad y Tribiwnlys Addysg, gan gynnwys penodi Llywydd y Tribiwnlys ac aelodau eraill y Tribiwnlys Addysg.

Mae rheoliad 2(2) yn dileu o adran 91(3) o Ddeddf 2018 y gofyniad i gael cytundeb yr Arglwydd Brif Ustus i'r Arglwydd Ganghellor benodi Llywydd y Tribiwnlys Addysg.

Mae rheoliad 2(3) yn dileu o adran 91(4) o Ddeddf 2018 y gofyniad i gael cytundeb Llywydd y Tribiwnlys i'r Arglwydd Ganghellor benodi'r panel cadeirydd cyfreithiol.

Mae rheoliad 3 yn rhoi yn lle'r cofnod yn Atodlen 14 i Ddeddf Diwygio Cyfansoddiadol 2005 sy'n ymwneud â Thribiwnlys Anghenion Addysgol Arbennig Cymru gofnod sy'n ymwneud â'r Tribiwnlys Addysg.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol yng ngoleuni'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.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 ("the 2018 Act") establishes the statutory system in Wales for meeting the additional learning needs of children and young people. Part 3 of the 2018 Act continues the Special Educational Needs Tribunal for Wales and re-names it the Education Tribunal for Wales.

These Regulations make amendments to section 91 of the 2018 Act which provides for the constitution of the Education Tribunal, including the appointment of the President of the Tribunal and other members of the Education Tribunal.

Regulation 2(2) removes from section 91(3) of the 2018 Act the requirement for the agreement of the Lord Chief Justice for the appointment of the President of the Education Tribunal by the Lord Chancellor.

Regulation 2(3) removes from section 91(4) of the 2018 Act the requirement for the agreement of the President of the Tribunal for the appointment of the legal chair panel by the Lord Chancellor.

Regulation 3 substitutes for the entry in Schedule 14 to the Constitutional Reform Act 2005 relating to the Special Educational Needs Tribunal for Wales an entry relating to the Education Tribunal.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in the light of 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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Addysg (Cymru) 2018
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The Additional Learning Needs and
Education Tribunal (Wales) Act
2018 (Supplementary Provisions)
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Gwnaed 3 Ebrill 2019

Made 3 April 2019

Yn dod i rym yn unol â rheoliad 1(2) a (3)

*Coming into force in accordance with
regulation 1(2) and (3)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 97(1) a (2) o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018(1), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred by section 97(1) and (2) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(1), make the following Regulations.

Yn unol ag adran 98 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018, gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad.

In accordance with section 98 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018, a draft of these Regulations was laid before the National Assembly for Wales and approved by a resolution of the National Assembly for Wales.

Enwi a chychwyn

Title and commencement

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Darpariaethau Atodol) 2019.

1.—(1) The title of these Regulations is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Supplementary Provisions) Regulations 2019 .

(2) Daw'r Rheoliadau hyn i rym ar 10 Ebrill 2019 yn ddarostyngedig i baragraff (3).

(2) These Regulations come into force on 10 April 2019 subject to paragraph (3).

(3) Daw rheoliad 3 i rym ar y diwrnod y daw adran 91 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 i rym.

(3) Regulation 3 comes into force on the day that section 91 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 comes into force.

Diwygiadau i Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018

2.—(1) Mae adran 91 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (3) hepgorer “gyda chytundeb yr Arglwydd Brif Ustus”.

(3) Yn is-adran (4) hepgorer “gyda chytundeb y Llywydd”.

Diwygiadau i Ddeddf Diwygio Cyfansoddiadol 2005

3.—(1) Yn Rhan 3 o Atodlen 14 i Ddeddf Diwygio Cyfansoddiadol 2005, mae Tabl 1 (penodiadau gan yr Arglwydd Ganghellor) wedi ei ddiwygio fel a ganlyn.

(2) Yn lle'r cofnod sy'n ymwneud ag adran 332(2) o Ddeddf Addysg 1996 a'r swyddi y mae'r adran honno yn ymwneud â hwy, rhodder —

“President of the Education Tribunal for Wales Member of the legal chair panel of the Education Tribunal for Wales	Section 91(3) and (4) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018”
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Amendments to the Additional Learning Needs and Education Tribunal (Wales) Act 2018

2.—(1) Section 91 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 is amended as follows.

(2) In sub-section (3) omit “with the agreement of the Lord Chief Justice”.

(3) In sub-section (4) omit “with the agreement of the President”.

Amendments to the Constitutional Reform Act 2005

3.—(1) In Part 3 of Schedule 14 to the Constitutional Reform Act 2005, Table 1 (appointments by the Lord Chancellor) is amended as follows.

(2) For the entry relating to section 332(2) of the Education Act 1996 and the offices to which that section relates substitute—

“President of the Education Tribunal for Wales Member of the legal chair panel of the Education Tribunal for Wales	Section 91(3) and (4) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018”
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Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
3 Ebrill 2019

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Minister for Education, one of the Welsh Ministers
3 April 2019

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