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WELSH STATUTORY
INSTRUMENTS

2020 Rhif 1182 (Cy. 267) (C. 33)

2020 No. 1182 (W. 267) (C. 33)

ADDYSG, CYMRU

EDUCATION, WALES

Gorchymyn Deddf Anghenion
Dysgu Ychwanegol a'r Tribiwnlys
Addysg (Cymru) 2018 (Cychwyn
Rhif 1) 2020

The Additional Learning Needs and
Education Tribunal (Wales) Act
2018 (Commencement No. 1) Order
2020

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dwyn i rym ddarpariaethau yn Neddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 ("y Ddeddf").

Mae'r darpariaethau a restrir yn erthygl 2 yn dod i rym yn llawn ar 2 Tachwedd 2020. Mae'r darpariaethau hyn yn cynnwys pwerau i wneud is-ddeddfwriaeth, darpariaethau dehongli a darpariaethau sydd fel arall yn gysylltiedig â'r pwerau hynny i wneud is-ddeddfwriaeth.

Mae'r darpariaethau a restrir yn erthygl 3 hefyd yn dod i rym ar y dyddiad hwnnw, ond dim ond at ddibenion gwneud rheoliadau, neu ddyroddi neu adolygu'r cod o dan adran 4 o'r Ddeddf.

Mae erthygl 4 yn dwyn i rym ar 4 Ionawr 2021 ddarpariaethau yn y Ddeddf sy'n gysylltiedig â dynodi swyddogion cydlynu anghenion dysgu ychwanegol. Mae'n dwyn i rym hefyd, at bob diben sy'n weddill, ddarpariaethau sy'n gysylltiedig â'r rhestr o sefydliadau ôl-16 arbennig annibynnol yng Nghymru a Lloegr, y caiff awdurdod lleol sicrhau addysg neu hyfforddiant ynddynt ar gyfer plentyn neu berson ifanc.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 ("the Act").

The provisions listed in article 2 come into force fully on 2 November 2020. These provisions comprise powers to make subordinate legislation, interpretation provisions and provisions otherwise related to those powers to make subordinate legislation.

The provisions listed in article 3 also come into force on that date, but only for the purposes of making regulations, or issuing or revising the code under section 4 of the Act.

Article 4 brings into force on 4 January 2021 provisions of the Act related to the designation of additional learning needs co-ordinating officers. It also brings into force, for all remaining purposes, provisions related to the list of independent special post-16 institutions in Wales and England, at which a local authority may secure education or training for a child or young person.

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2020

Gwnaed

28 Hydref 2020

Made

28 October 2020

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 100(3) a (4) o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018(1), yn gwneud y Gorchymyn a ganlyn.

The Welsh Ministers, in exercise of the powers conferred by section 100(3) and (4) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(1), make the following Order.

Enwi a dehongli

Title and interpretation

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 1) 2020.

1.—(1) The title of this Order is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 1) Order 2020.

(2) Yn y Gorchymyn hwn, ystyr “y Ddeddf” yw Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018.

(2) In this Order, “the Act” means the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

Y darpariaethau sy'n dod i rym ar 2 Tachwedd 2020

Provisions coming into force on 2 November 2020

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 2 Tachwedd 2020—

2. The following provisions of the Act come into force on 2 November 2020—

- (a) adran 5;
- (b) adran 15;
- (c) adran 37;
- (d) adran 39;
- (e) adrannau 45 a 46;
- (f) adran 67;
- (g) adran 74;
- (h) adran 82.

- (a) section 5;
- (b) section 15;
- (c) section 37;
- (d) section 39;
- (e) sections 45 and 46;
- (f) section 67;
- (g) section 74;
- (h) section 82.

Y darpariaethau sy'n dod i rym ar 2 Tachwedd 2020 at ddiben arfer pwerau

3.—(1) Ni ddaw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 2 Tachwedd 2020 ond at ddibenion gwneud rheoliadau—

- (a) adran 16;
- (b) adran 21;
- (c) adran 32;
- (d) adran 36;
- (e) adran 54;
- (f) adran 56;
- (g) adran 60;
- (h) adran 65;
- (i) adrannau 75 i 77;
- (j) adran 83;
- (k) adran 85;
- (l) adrannau 91(1) a 92;
- (m) adran 95;
- (n) adran 96 a pharagraff 19(1), (4) a (5)(g) ac (h) o'r Atodlen.

(2) Ni ddaw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 2 Tachwedd 2020 ond at ddibenion dyroddi neu adolygu'r cod o dan adran 4 o'r Ddeddf—

- (a) adran 4(2);
- (b) adrannau 7 ac 8;
- (c) adran 47.

Y darpariaethau sy'n dod i rym ar 4 Ionawr 2021

4.—(1) Daw adrannau 61 a 62 o'r Ddeddf i rym ar 4 Ionawr 2021.

(2) Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 4 Ionawr 2021 at bob diben sy'n weddill—

- (a) adran 56(1);
- (b) adran 56(4) i (6);
- (c) adran 60.

Provisions coming into force on 2 November 2020 for the purpose of the exercise of powers

3.—(1) The following provisions of the Act come into force on 2 November 2020 only for the purposes of making regulations—

- (a) section 16;
- (b) section 21;
- (c) section 32;
- (d) section 36;
- (e) section 54;
- (f) section 56;
- (g) section 60;
- (h) section 65;
- (i) sections 75 to 77;
- (j) section 83;
- (k) section 85;
- (l) sections 91(1) and 92;
- (m) section 95;
- (n) section 96 and paragraph 19(1), (4) and (5)(g) and (h) of the Schedule.

(2) The following provisions of the Act come into force on 2 November 2020 only for the purposes of issuing or revising the code under section 4 of the Act—

- (a) section 4(2);
- (b) sections 7 and 8;
- (c) section 47.

Provisions coming into force on 4 January 2021

4.—(1) Sections 61 and 62 of the Act come into force on 4 January 2021.

(2) The following provisions of the Act come into force on 4 January 2021 for all remaining purposes—

- (a) section 56(1);
- (b) section 56(4) to (6);
- (c) section 60.

(1) Mae diwygiadau i adran 91 nad ydynt yn berthnasol i'r Gorchymyn hwn.

(2) Mae diwygiadau i adran 4 a wnaed gan Ddeddf Diogelu Data 2018 (p. 12), Atodlen 19, paragraff 226.

(1) There are amendments to section 91 which are not relevant to this Order.

(2) There are amendments to section 4 made by the Data Protection Act 2018 (c. 12), Schedule 19, paragraph 226.

Kirsty Williams

Y Gweinidog Addysg, un o Weinidogion Cymru
28 Hydref 2020

Minister for Education, one of the Welsh Ministers
28 October 2020

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