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CYMRU

WELSH STATUTORY
INSTRUMENTS

2023 Rhif 378 (Cy. 58)

2023 No. 378 (W. 58)

ADDYSG, CYMRU

EDUCATION, WALES

Rheoliadau Cyngor y Gweithlu
Addysg (Prif Swyddogaethau)
(Cymru) (Diwygiadau sy'n
Ymwneud ag Absenoldeb
Profedigaeth Rhiant ac Absenoldeb
Rhiant a Rennir) 2023

The Education Workforce Council
(Main Functions) (Wales)
(Amendments Relating to Parental
Bereavement Leave and Shared
Parental Leave) Regulations 2023

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 Cyngor y Gweithlu Addysg (Prif Swyddogaethau) (Cymru) 2015 ("y prif Reoliadau") sy'n pennu na chaiff person weithio fel athro neu athrawes ysgol a chyflawni gwaith penodedig oni bai ei fod neu ei bod yn athro cymwysedig neu'n athrawes gymwysedig neu'n bodloni'r gofynion penodedig.

These Regulations amend the Education Workforce Council (Main Functions) (Wales) Regulations 2015 ("the principal Regulations") which specify that a person may not work as a school teacher and carry out specified work unless they are a qualified teacher or satisfy the specified requirements.

Mae rheoliad 2 yn diwygio rheoliad 16 o'r prif Reoliadau i gynnwys absenoldeb profedigaeth rhiant ac absenoldeb rhiant a rennir yn y rhestr o hawlogaethau absenoldeb statudol y bydd Cyngor y Gweithlu Addysg yn eu cymhwyso er mwyn estyn y cyfnod penodedig y gall person gyflawni gwaith penodedig amdano heb statws athro cymwysedig neu athrawes gymwysedig.

Regulation 2 amends regulation 16 of the principal Regulations to include parental bereavement leave and shared parental leave in the list of statutory leave entitlements which the Education Workforce Council will apply to extend the specified period for which a person is able to carry out specified work without qualified teacher status.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Y Gangen Deddfwriaeth a Llywodraethiant, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ neu SMED2@llyw.cymru.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations has been prepared and a copy can be obtained from the Legislation and Governance Branch, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or SMED2@gov.wales.

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Gwnaed 28 Mawrth 2023
Gosodwyd *gerbron* *Senedd*
Cymru 30 Mawrth 2023
Yn dod i rym 26 Mai 2023

Made 28 March 2023
Laid before Senedd Cymru 30 March 2023
Coming into force 26 May 2023

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 14 a 47(1) o Ddeddf Addysg (Cymru) 2014(1), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 14 and 47(1) of the Education (Wales) Act 2014(1), make the following Regulations:

Enwi a dod i rym

Title and coming into force

1. Enw'r Rheoliadau hyn yw Rheoliadau Cyngor y Gweithlu Addysg (Prif Swyddogaethau) (Cymru) (Diwygiadau sy'n Ymwneud ag Absenoldeb Profedigaeth Rhiant ac Absenoldeb Rhiant a Rennir) 2023 a deuant i rym ar 26 Mai 2023.

1. The title of these Regulations is the Education Workforce Council (Main Functions) (Wales) (Amendments Relating to Parental Bereavement Leave and Shared Parental Leave) Regulations 2023 and they come into force on 26 May 2023.

Diwygio Rheoliadau Cyngor y Gweithlu Addysg (Prif Swyddogaethau) (Cymru) 2015

Amendment of the Education Workforce Council (Main Functions) (Wales) Regulations 2015

2.—(1) Mae Rheoliadau Cyngor y Gweithlu Addysg (Prif Swyddogaethau) (Cymru) 2015(2) wedi eu diwygio fel a ganlyn.

2.—(1) The Education Workforce Council (Main Functions) (Wales) Regulations 2015(2) are amended as follows.

(2) Yn rheoliad 16(a)—

(2) In regulation 16(a)—

(a) ar ddiwedd is-baragraff (iii) hepgorer “neu”, a

(a) at the end of sub-paragraph (iii) omit “or”,
and

(1) 2014 decc 5.

(2) O.S. 2015/140 (Cy. 8), a ddiwygiwyd gan O.S. 2016/6 (Cy. 4); mae offerynnau diwygio eraill, ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(1) 2014 anaw 5.

(2) S.I. 2015/140 (W. 8), amended by S.I. 2016/6 (W. 4); there are other amending instruments, but none is relevant to these Regulations.

(b) ar ddiwedd is-baragraff (iv) hepgorer “neu” a mewnosoder—

“(v) ei hawl i absenoldeb rhiant a rennir a roddir gan adran 75E neu 75G o Ddeddf 1996(1); neu

(vi) ei hawl i absenoldeb profedigaeth rhiant a roddir gan adran 80EA o Ddeddf 1996(2); neu”.

(b) at the end of sub-paragraph (iv) omit “or” and insert—

“(v) right to shared parental leave conferred by section 75E or 75G of the 1996 Act(1); or

(vi) right to parental bereavement leave conferred by section 80EA of the 1996 Act(2); or”.

Jeremy Miles

Gweinidog y Gymraeg ac Addysg, un o Weinidogion
Cymru
28 Mawrth 2023

Minister for Education and Welsh Language, one of
the Welsh Ministers
28 March 2023

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Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty’s Stationery Office and King’s Printer of Acts of Parliament.

(1) Mewnosodwyd adrannau 75E a 75G yn Neddf Hawliau Cyflogaeth 1996 (p. 18) gan adran 117(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6). Diwygiwyd adran 75G gan reoliad 146(a) a (b) o O.S. 2016/413 (Cy. 131).

(2) Mewnosodwyd adran 80EA gan baragraff 2 o Ran 1 o’r Atodlen i Ddeddf Profedigaeth Rhiant (Absenoldeb a Thâl) 2018 (p. 24).

(1) Sections 75E and 75G were inserted into the Employment Rights Act 1996 (c. 18) by section 117(1) of the Children and Families Act 2014 (c. 6). Section 75G was amended by regulation 146(a) and (b) of S.I. 2016/413 (W. 131).

(2) Section 80EA was inserted by paragraph 2 of Part 1 of the Schedule to the Parental Bereavement (Leave and Pay) Act 2018 (c. 24).

£4.90

<http://www.legislation.gov.uk/id/wsi/2023/378>

ISBN 978-0-348-39433-7



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