OFFERYNNAU STATUDOL CYMRU

2014 Rhif 178 (Cy. 26) (C. 5)

ADDYSG, CYMRU

Gorchymyn Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (Cychwyn Rhif 4 a Darpariaethau Arbed) 2014

NODYN ESBONIADOL

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

Dyma'r pedwerydd gorchymyn cychwyn a wnaed gan Weinidogion Cymru o dan Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 ("Deddf 2013"). Mae'r Gorchymyn hwn yn dwyn i rym ar 20 Chwefror 2014 ddarpariaethau canlynol Deddf 2013:

(a) Pennod 1 o Ran 2 (ymyrryd ym materion rhedeg ysgolion a gynhelir);

(b) Pennod 2 o Ran 2 (ymyrryd mewn awdurdodau lleol);

(c) adran 96 (diddymu'r ddarpariaeth am god ymarfer ar gyfer y berthynas rhwng awdurdodau lleol ac ysgolion);

(d) adran 99 (mân ddiwygiadau a diwygiadau canlyniadol) i'r graddau y mae'n ymwneud â'r diwygiadau a wneir gan Ran 1 o Atodlen 5;

(e) Atodlen 1 (cyrff llywodraethu sydd wedi eu ffurfio o aelodau gweithrediaeth interim);

(f) Rhan 1 o Atodlen 5 (mân ddiwygiadau a diwygiadau canlyniadol sy'n ymwneud â Rhan 2 o Ddeddf 2013); ac

(g) paragraffau 32 a 34(2) o Ran 3 o Atodlen 5 (diddymu adran 58 o Ddeddf Addysg ac Arolygiadau 2006).

WELSH STATUTORY INSTRUMENTS

2014 No. 178 (W. 26) (C. 5)

EDUCATION, WALES

The School Standards and Organisation (Wales) Act 2013 (Commencement No. 4 and Savings Provisions) Order 2014

EXPLANATORY NOTE

(This note is not part of the Order)

This is the fourth commencement order made by the Welsh Ministers under the School Standards and Organisation (Wales) Act 2013 ("the 2013 Act"). This Order brings into force on 20 February 2014 the following provisions of the 2013 Act:

(a) Chapter 1 of Part 2 (intervention in conduct of maintained schools);

(b) Chapter 2 of Part 2 (intervention in local authorities);

(c) section 96 (repeal of provision for code of practice for local authority school relations);

(d) section 99 (minor and consequential amendments) in so far as it relates to the amendments made by Part 1 of Schedule 5;

(e) Schedule 1 (governing bodies consisting of interim executive members);

(f) Part 1 of Schedule 5 (minor and consequential amendments relating to Part 2 of the 2013 Act); and

(g) paragraphs 32 and 34(2) of Part 3 of Schedule 5 (repeal of section 58 of the Education and Inspections Act 2006).

Mae erthygl 3 o’r Gorchymyn hwn yn darparu bod unrhyw weithred, datganiad neu gyfarwyddyd y mae Gweinidogion Cymru wedi ei wneud o dan eu pwerau yn adrannau 496 i 497A o Ddeddf Addysg 1996 (“Deddf 1996”), neu mewn perthynas â’r pwerau hynny, yn parhau i fod yn gymwys. Mae hefyd yn darparu y caniateir i gyfarwyddyd pellach, mewn perthynas â’r un materion, gael ei wneud o dan adrannau 496 i 497A o Ddeddf 1996.

Article 3 of this Order provides that any act, declaration or direction that the Welsh Ministers have made under or relating to their powers in sections 496 to 497A of the Education Act 1996 (“the 1996 Act”) continue to apply. It also provides that a further direction, in relation to the same matters, may also be made under sections 496 to 497A of the 1996 Act.

NODYN AM Y GORCHMYNION CYCHWYN CYNHARACH

(*Nid yw’r nodyn hwn yn rhan o’r Gorchymyn*)

Y Ddarpariaeth	*Y Dyddiad Cychwyn*	*Rhif O.S.*
Adrannau 38, 39, 97 a 98	26 Ebrill 2013 i’r graddau y mae’r darpariaethau hynny yn ymwneud â llunio a gosod y Cod Trefniadaeth Ysgolion	O.S. 2013/1000 (Cy.105)
Adrannau 38 a 39	1 Hydref 2013 yn llawn	O.S. 2013/1800 (Cy.182)
Pennod 2 o Ran 3	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Pennod 3 o Ran 3	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Pennod 4 o Ran 3	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Pennod 5 o Ran 3	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Pennod 6 o Ran 3	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Rhan 4	2 Rhagfyr 2013	O.S. 2013/3024 (Cy.299)

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	*Date of Commencement*	*S.I. Number*
Sections 38, 39, 97 and 98	26 April 2013 insofar as those provisions relate to the making and laying of the School Organisation Code	S.I. 2013/1000 (W.105)
Sections 38 and 39	1 October 2013 fully	S.I. 2013/1800 (W.182)
Chapter 2 of Part 3	1 October 2013	S.I. 2013/1800 (W.182)
Chapter 3 of Part 3	1 October 2013	S.I. 2013/1800 (W.182)
Chapter 4 of Part 3	1 October 2013	S.I. 2013/1800 (W.182)
Chapter 5 of Part 3	1 October 2013	S.I. 2013/1800 (W.182)
Chapter 6 of Part 3	1 October 2013	S.I. 2013/1800 (W.182)
Part 4	2 December 2013	S.I. 2013/3024 (W.299)

Adrannau 97 a 98	4 Mai 2013 yn llawn	O.S. 2013/1000 (Cy.105)
Adran 99	1 Hydref 2013 i'r graddau y mae'n ymwneud â'r diwygiadau a wneir gan Ran 2 o Atodlen 5	O.S. 2013/1800 (Cy.182)
Atodlen 2	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Atodlen 3	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Paragraffau 1 i 7 a pharagraffau 9 i 39 o Atodlen 4	1 Hydref 2013	O.S. 2013/1800 (Cy.182)
Rhan 2 o Atodlen 5	1 Hydref 2013	O.S. 2013/1800 (Cy.182)

Sections 97 and 98	4 May 2013 fully	S.I. 2013/1000 (W.105)
Section 99	1 October 2013 in so far as it relates to the amendments made by Part 2 of Schedule 5	S.I. 2013/1800 (W.182)
Schedule 2	1 October 2013	S.I. 2013/1800 (W.182)
Schedule 3	1 October 2013	S.I. 2013/1800 (W.182)
Paragraphs 1 to 7 and paragraphs 9 to 39 of Schedule 4	1 October 2013	S.I. 2013/1800 (W.182)
Part 2 of Schedule 5	1 October 2013	S.I. 2013/1800 (W.182)

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ADDYSG, CYMRU

Gorchymyn Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (Cychwyn Rhif 4 a Darpariaethau Arbed) 2014

Gwnaed *29 Ionawr 2014*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 97 a 100 o Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013(**1**) yn gwneud y Gorchymyn a ganlyn:

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (Cychwyn Rhif 4 a Darpariaethau Arbed) 2014.

(2) Yn y Gorchymyn hwn, ystyr "Deddf 2013" ("*the 2013 Act*") yw Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013.

Darpariaethau sy'n dod i rym ar 20 Chwefror 2014

2. Yn ddarostyngedig i erthygl 3, y diwrnod penodedig ar gyfer dod â'r darpariaethau a ganlyn o Ddeddf 2013 i rym yw 20 Chwefror 2014—

(a) Pennod 1 o Ran 2 (ymyrryd ym materion rhedeg ysgolion a gynhelir);

(b) Pennod 2 o Ran 2 (ymyrryd mewn awdurdodau lleol);

(c) adran 96 (diddymu'r ddarpariaeth am god ymarfer ar gyfer y berthynas rhwng awdurdodau lleol ac ysgolion);

(d) adran 99 (mân ddiwygiadau a diwygiadau canlyniadol) i'r graddau y mae'n ymwneud â'r diwygiadau a wneir gan Ran 1 o Atodlen 5;

(**1**) 2013 dccc 1.

WELSH STATUTORY INSTRUMENTS

2014 No. 178 (W. 26) (C. 5)

EDUCATION, WALES

The School Standards and Organisation (Wales) Act 2013 (Commencement No. 4 and Savings Provisions) Order 2014

Made *29 January 2014*

The Welsh Ministers, in exercise of the powers conferred upon them by sections 97 and 100 of the School Standards and Organisation (Wales) Act 2013(**1**) make the following Order:

Title and interpretation

1.—(1) The title of this Order is the School Standards and Organisation (Wales) Act 2013 (Commencement No.4 and Savings Provisions) Order 2014.

(2) In this Order, "the 2013 Act" ("*Deddf 2013*") means the School Standards and Organisation (Wales) Act 2013.

Provisions coming into force on 20 February 2014

2. Subject to article 3, the appointed day for the following provisions of the 2013 Act coming into force is 20 February 2014—

(a) Chapter 1 of Part 2 (intervention in conduct of maintained schools);

(b) Chapter 2 of Part 2 (intervention in local authorities);

(c) section 96 (repeal of provision for code of practice for local authority school relations);

(d) section 99 (minor and consequential amendments) in so far as it relates to the amendments made by Part 1 of Schedule 5;

(**1**) 2013 anaw 1.

(e) Atodlen 1 (cyrff llywodraethu sydd wedi eu ffurfio o aelodau gweithrediaeth interim);

(f) Rhan 1 o Atodlen 5 (mân ddiwygiadau a diwygiadau canlyniadol sy'n ymwneud â Rhan 2 o Ddeddf 2013); ac

(g) paragraffau 32 a 34(2) o Ran 3 o Atodlen 5 (diddymu adran 58 o Ddeddf Addysg ac Arolygiadau 2006).

Arbedion mewn perthynas ag adrannau 496 i 497A o Ddeddf Addysg 1996

3.—(1) Nid yw dod ag unrhyw un neu ragor o'r darpariaethau a nodir yn erthygl 2 i rym yn effeithio ar unrhyw weithred a wneir, unrhyw ddatganiad nac unrhyw gyfarwyddyd o dan bwerau Gweinidogion Cymru yn adrannau 496 i 497A o Ddeddf Addysg 1996(**1**) neu mewn perthynas ag arfer y pwerau hynny, ac mae'r adrannau hynny yn parhau i fod yn gymwys fel pe na bai'r darpariaethau a nodir yn erthygl 2 wedi eu gwneud.

(2) Pan fo Gweinidogion Cymru wedi dyroddi cyfarwyddyd drwy arfer eu pwerau yn adrannau 496 i 497A o Ddeddf Addysg 1996 ("y pwerau cyfarwyddo") cyn i unrhyw un neu ragor o'r darpariaethau a nodir yn erthygl 2 ddod i rym a'u bod wedi eu bodloni y dylai cyfarwyddyd pellach gael ei ddyroddi mewn perthynas â'r un materion drwy arfer y pwerau cyfarwyddo, mae'r adrannau hynny yn parhau i fod yn gymwys fel pe na bai'r darpariaethau a nodir yn erthygl 2 wedi eu gwneud.

(e) Schedule 1 (governing bodies consisting of interim executive members);

(f) Part 1 of Schedule 5 (minor and consequential amendments relating to Part 2 of the 2013 Act); and

(g) paragraphs 32 and 34(2) of Part 3 of Schedule 5 (repeal of section 58 of the Education and Inspections Act 2006).

Savings in relation to sections 496 to 497A of the Education Act 1996

3.—(1) The coming into force of any of the provisions set out in article 2 does not affect any act done, any declaration or any direction under, or in relation to the exercise of the Welsh Ministers' powers in sections 496 to 497A of the Education Act 1996(**1**) and those sections continue to apply as if the provisions set out in article 2 had not been made.

(2) Where the Welsh Ministers have issued a direction in exercise of their powers in sections 496 to 497A of the Education Act 1996 ("the direction powers") before any of the provisions set out in article 2 come into force and they are satisfied that a further direction should be issued in relation to the same matters in exercise of the direction powers those sections continue to apply as if the provisions set out in article 2 had not been made.

Huw Lewis

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

29 Ionawr 2014

Minister for Education and Skills, one of the Welsh Ministers

29 January 2014

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(**1**) 1996 p. 56.

(**1**) 1996 c. 56.

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EDUCATION, WALES

Gorchymyn Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (Cychwyn Rhif 4 a Darpariaethau Arbed) 2014

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