



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 74 (Cy.8) (C.1)

2002 No. 74 (W.8)(C.1)

ADDYSG, CYMRU

EDUCATION, WALES

**Gorchymyn Deddf Anghenion
Addysgol Arbennig ac Anabledd
2001 (Cychwyn) (Cymru) 2002**

**The Special Educational Needs and
Disability Act 2001
(Commencement) (Wales) Order
2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn darparu ar gyfer dwyn i rym ddarpariaethau penodol o Ddeddf Anghenion Addysgol Arbennig ac Anabledd 2001 yng Nghymru ar 21 Ionawr 2002 er mwyn caniatáu i reoliadau sy'n ymwneud ag anghenion addysgol arbennig (AAA) gael eu gwneud cyn cychwyn gweddill darpariaethau'r Ddeddf sy'n ymwneud ag AAA.

This Order provides for the coming into force in Wales on 21st January 2002 of certain provisions of the Special Educational Needs and Disability Act 2001 to allow regulations relating to special educational needs (SEN) to be made in advance of the commencement of the balance of the provisions of the Act relating to SEN.

Mae hefyd yn darparu ar gyfer dwyn i rym yng Nghymru ar 1 Ebrill 2002 y darpariaethau eraill yn y Ddeddf sy'n ymwneud ag AAA, gan gynnwys darpariaethau sy'n ymwneud ag addysgu plant ag AAA yn ysgolion y brif ffrwd, darparu cyngor a gwybodaeth i rieni plant ag AAA, a threfniadau ar gyfer datrys anghydfodau ynghylch materion sy'n ymwneud ag AAA, adnabod ac asesu anghenion addysgol arbennig a diwygio datganiadau AAA.

It also provides for the coming into force in Wales on 1st April 2002 of the other provisions in the Act relating to SEN, including provisions relating to the education of children with SEN in mainstream schools, the provision of advice and information to parents of children with SEN, and arrangements for the resolution of disputes about SEN related issues, the identification and assessment of special educational needs and amending statements of SEN.

2002 Rhif 74 (Cy.8) (C.1)

ADDYSG, CYMRU

**Gorchymyn Deddf Anghenion
Addysgol Arbennig ac Anabledd
2001 (Cychwyn) (Cymru) 2002**

Wedi'i wneud

17 Ionawr 2002

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵer a roddwyd iddo gan adran gan adran 43(6) a (7) o Ddeddf Anghenion Addysgol Arbennig ac Anabledd 2001(a), drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, Cymhwyso a Dehongli

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Anghenion Addysgol Arbennig ac Anabledd 2001 (Cychwyn) (Cymru) 2002.

2. Mae'r Gorchymyn hwn yn gymwys mewn perthynas â Chymru yn unig.

3. Yn y Gorchymyn hwn, onid yw'n dweud fel arall, mae cyfeiriadau at adrannau ac Atodlenni yn gyfeiriadau at adrannau o Ddeddf Anghenion Addysgol Arbennig ac Anabledd 2001 ac Atodlenni iddi.

Y diwrnodau penodedig

4. Y diwrnod penodedig i'r darpariaethau a bennwyd yn Rhan I o'r Atodlen i'r Gorchymyn hwn ddod i rym yw 21 Ionawr 2002.

5. Y diwrnod penodedig i'r darpariaethau a bennwyd yn Rhan II o'r Atodlen i'r Gorchymyn hwn ddod i rym yw 1 Ebrill 2002.

2002 No. 74 (W.8) (C.1)

EDUCATION, WALES

**The Special Educational Needs and
Disability Act 2001
(Commencement) (Wales) Order
2002**

Made

17th January 2002

The National Assembly for Wales, in exercise of the power conferred upon it by section 43(6) and (7) of the Special Educational Needs and Disability Act 2001(a), hereby makes the following Order:

Citation, Application and Interpretation

1. This Order may be cited as the Special Educational Needs and Disability Act 2001 (Commencement) (Wales) Order 2002.

2. This Order applies only in relation to Wales.

3. In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the Special Educational Needs and Disability Act 2001.

Appointed days

4. The day appointed for the coming into force of the provisions specified in Part I of the Schedule to this Order is 21st January 2002.

5. The day appointed for the coming into force of the provisions specified in Part II of the Schedule to this Order is 1st April 2002.

(a) 2001 c.10.

(a) 2001 c.10.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

17 Ionawr 2002

17th January 2002

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

YR ATODLEN

Erthyglau 4 a 5

RHAN I

Y DARPARIAETHAU SY'N DOD I RYM AR 21 IONAWR 2002

Y DDARPARIAETH	Y PWNC
Adran 1 (i'r graddau y mae ei hangen er mwyn gwneud unrhyw reoliadau y mae'n darparu ar eu cyfer)	Addysgu plant ag anghenion addysgol arbennig yn ysgolion y brif ffrwd
Adran 8 (i'r graddau y mae ei hangen er mwyn gwneud unrhyw reoliadau y mae'n darparu ar eu cyfer)	Adolygiad neu asesiad o anghenion addysgol arbennig ar gais corff cyfrifol
Adran 42(1) (i'r graddau y mae'n berthnasol i ddarpariaethau Atodlen 8 a nodir yn y tabl hwn)	Mân ddiwygiadau a diwygiadau canlyniadol
Paragraffau 17 a 18 o Atodlen 8 (i'r graddau y mae eu hangen er mwyn gwneud unrhyw reoliadau y mae'n darparu ar eu cyfer)	Deddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986

RHAN II

Y DARPARIAETHAU SY'N DOD I RYM AR 1 EBRILL 2002

Y DDARPARIAETH	Y PWNC
Adran 1 (i'r graddau nad yw eisoes mewn grym)	Addysgu plant ag anghenion addysgol arbennig yn ysgolion y brif ffrwd
Adran 2	Cyngor a gwybodaeth i rieni
Adran 3	Datrys anghydfodau
Adran 7	Dyletswydd i roi gwybod i riant pan wneir darpariaeth addysgol arbennig
Adran 8 (i'r graddau nad yw eisoes mewn grym)	Adolygiad neu asesiad o anghenion addysgol arbennig ar gais corff cyfrifol
Adran 9	Dyletswydd i bennu ysgol a enwir
Adran 42(1) (i'r graddau nad yw eisoes mewn grym) i'r graddau y mae'n berthnasol i ddarpariaethau Atodlen 8 a bennir isod. Adran 42(6) i'r graddau y mae'n berthnasol i ddarpariaethau Atodlen 9 a bennir isod.	Mân ddiwygiadau a diddymiadau

<p>Yn Atodlen 8, paragraffau 1, 5 i 12, 14, 16 i 18 (i'r graddau nad ydynt eisoes mewn grym)</p>	<p>Mân ddiwygiadau a diwygiadau canlyniadol</p>
<p>Yn Atodlen 9 y diddymiadau canlynol i'r graddau y maent yn berthnasol i Gymru -</p> <p>yn Neddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986, adran 5(1)(a);</p> <p>yn Neddf Addysg 1996(b) -</p> <p>yn adran 325(1), y geiriau ", and of the effect of subsection (2) below";</p> <p>yn Atodlen 27, paragraff 3(4), paragraff 8(1)(b)(iii), ym mharagraff 9(1) y geiriau "amend, or" a "10 or", a pharagraff 10.</p>	

(a) 1986 p.33.

(b) 1996 p.56.

SCHEDULE

Articles 4 and 5

PART I

PROVISIONS COMING INTO FORCE ON 21st JANUARY 2002

PROVISION	SUBJECT MATTER
Section 1 (in so far as is necessary for the purpose of making any regulations for which it provides)	Education in mainstream schools of children with special educational needs
Section 8 (in so far as is necessary for the purpose of making any regulations for which it provides)	Review or assessment of special educational needs at request of responsible body
Section 42(1) (so far as it relates to the provisions of Schedule 8 set out in this table)	Minor and Consequential amendments
Paragraphs 17 and 18 of Schedule 8 (so far as is necessary for the purpose of making any regulations for which they provide)	The Disabled Persons (Services, Consultation and Representation) Act 1986

PART II

PROVISIONS COMING INTO FORCE ON 1ST APRIL 2002

PROVISION	SUBJECT MATTER
Section 1 (to the extent not already in force)	Education in mainstream schools of children with special educational needs
Section 2	Advice and information for parents
Section 3	Resolution of disputes
Section 7	Duty to inform parent where special educational provision made
Section 8 (to extent not already in force)	Review or assessment of special educational needs at request of responsible body
Section 9	Duty to specify named school
Section 42(1) (to extent not already in force) in so far as it relates to the provisions of Schedule 8 specified below. Section 42(6) in so far as it relates to the provisions of Schedule 9 specified below	Minor amendments and repeals

In Schedule 8, paragraphs 1, 5 to 12, 14, 16 to 18 (to extent not already in force)	Minor and Consequential amendments
<p>In Schedule 9 the repeals in so far as they relate to Wales of -</p> <p>in the Disabled Persons (Services, Consultation and Representation) Act 1986, section 5(1)(a);</p> <p>in the Education Act 1996(b) -</p> <p>in section 325(1), the words ", and of the effect of subsection (2) below";</p> <p>in Schedule 27, paragraph 3(4), paragraph 8(1)(b)(iii), in paragraph 9(1) the words "amend, or" and "10 or", and paragraph 10.</p>	

(a) 1986 c.33.

(b) 1996 c.56.

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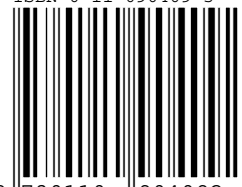
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