CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2004 Rhif 1728 (Cy.172) (C.67)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 5) (Cymru) 2004

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn dwyn i rym ar 1 Awst 2004 ac 1 Medi 2004 y darpariaethau hynny yn Neddf Addysg 2002 a bennir yn Rhannau 1 a 2 o'r Atodlen i'r Gorchymyn hwn.

Mae'r cyfeiriadau isod at adrannau ac Atodlenni (heb fanylion pellach) yn gyfeiriadau at adrannau o Ddeddf Addysg 2002 ac Atodlenni iddi.

Yn achos darpariaethau sy'n cael eu dwyn i rym gan y Gorchymyn hwn ac sy'n diwygio deddfwriaeth sy'n bodoli eisoes, mae'r cyfeiriadau at yr Ysgrifennydd Gwladol yn y darpariaethau hynny i'w darllen, mewn perthynas â Chymru, fel cyfeiriadau at Gynulliad Cenedlaethol Cymru - gweler adran 211.

Mae effaith y darpariaethau a bennir yn Rhan 1 o'r Atodlen fel a ganlyn -

> Mae adran 72 ac Atodlen 9 yn diwygio Deddf Dysgu a Medrau 2000 er mwyn galluogi Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant i gynnig sefydlu, addasu neu gau dosbarthiadau chwech. Mae ei gynigion i'w cyflwyno i Gynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"). Nodir y gweithdrefnau mewn rheoliadau.

Mae effaith y darpariaethau a bennir yn Rhan 2 o'r Atodlen fel a ganlyn -

> Mae adrannau 21, 22, 30 a 32 yn ailddeddfu darpariaethau penodol yn Neddf Safonau a Fframwaith Ysgolion 1998 ("Deddf 1998") ynglŷn

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2004 No. 1728(W.172) (C.67)

EDUCATION, WALES

The Education Act 2002 (Commencement No. 5) (Wales) Order 2004

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st August 2004 and 1st September 2004 those provisions of the Education Act 2002 specified in Parts 1 and 2 of the Schedule to this Order.

References below to sections and Schedules (without more) are references to sections of and Schedules to the Education Act 2002.

In the case of provisions brought into force by this Order which amend existing legislation, references to the Secretary of State in those provisions are to be read, in relation to Wales, as references to the National Assembly for Wales - see section 211.

The effect of the provisions specified in Part 1 of the Schedule is as follows -

> Section 72 and Schedule 9 amend the Learning and Skills Act 2000 so as to enable the National Council for Education and Training for Wales to propose the establishment, alteration or closure of sixth forms. Its proposals are to be submitted to the National Assembly for Wales ("the National Assembly"). Regulations will set out the procedures.

The effect of the provisions specified in Part 2 of the Schedule is as follows -

> Sections 21, 22, 30 and 32 re-enact certain provisions of the School Standards and Framework Act 1998 ("the 1998 Act") in relation to the

â llywodraethu ysgolion a gynhelir.

Mae adran 21 yn darparu mai corff llywodraethu ysgol sy'n gyfrifol am ei rhedeg. Mae'n galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau sy'n nodi rolau a chyfrifoldebau cyrff llywodraethu, penaethiaid ac AALl.

Mae adran 22 yn darparu bod rhaid i AALl ddarparu gwybodaeth a hyfforddiant yn rhad ac am ddim i lywodraethwyr.

O dan adran 30 rhaid i gorff llywodraethu baratoi adroddiad blynyddol. Bydd y rheoliadau a wneir gan y Cynulliad Cenedlaethol yn nodi'r gofynion ynglŷn â chynnwys adroddiadau blynyddol a'u dosbarthu. Rhaid i gyrff llywodraethu ddarparu adroddiadau o'r fath i'r AALl yn unol â'i ofynion, a rhaid i benaethiaid ddarparu adroddiadau o'r fath i gyrff llywodraethu neu AALl yn unol â'u gofynion hwythau.

Mae adran 32 yn nodi, o ran gwahanol gategorïau o ysgol, y corff sy'n gyfrifol am benderfynu dyddiadau tymhorau ysgol, gwyliau ysgol ac amserau sesiynau ysgol. Caiff y Cynulliad Cenedlaethol wneud rheoliadau ynglŷn â chynigion i newid amserau sesiynau ysgol.

Mae adran 39 yn cynnwys diffiniadau.

Mae adran 155 ac Atodlen 14 yn diwygio Atodlen 26 i Ddeddf 1998 sy'n gwneud darpariaeth ynglŷn ag arolygu addysg feithrin. Bydd y diwygiadau hyn yn caniatáu i arolygiadau gael eu gwneud gan aelodau o'r arolygiaeth yn ogystal ag arolygwyr meithrinfyedd cofrestredig, ac yn caniatáu i Brif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru gofrestru'r personau hynny y mae hi'n barnu eu bod yn briodol a chymryd i ystyriaeth yr angen am arolygwyr yng Nghymru. O'r blaen cofrestrodd hi unrhyw berson a fodlonodd y meini prawf statudol. Mae Atodlen 14 yn cynnwys diwygiadau hefyd a fydd yn golygu y bydd apelau yn erbyn penderfyniadau ar gofrestru yn cael eu gwneud yn Lloegr i'r tribiwnlys a sefydlwyd o dan adran 9 o Ddeddf Amddiffyn Plant 1999. Bydd apelau yng Nghymru yn parhau i gael eu gwneud i Dribiwnlys yr Arolygydd Meithrinfeydd Cofrestredig, ond mae rhai diwygiadau sy'n ganlyniad i'r newidiadau yn Lloegr.

Mae adran 176 yn gosod dyletswydd ar AALl a chyrff llywodraethu i roi sylw i ganllawiau'r Cynulliad Cenedlaethol ynglŷn ag ymgynghori â disgyblion ynghylch gwneud penderfyniadau sy'n effeithio arnynt.

government of maintained schools.

Section 21 provides that the governing body of a school is responsible for its conduct. It enables the National Assembly to make regulations setting out the roles and responsibilities of governing bodies, head teachers and LEAs.

Section 22 provides that an LEA must provide governors with information and training, free of charge.

Under section 30 a governing body must prepare an annual report. Regulations made by the National Assembly will set out requirements in relation to the content of annual reports and their distribution. Governing bodies must provide such reports to the LEA as it requires, and head teachers must provide such reports to governing bodies or LEAs as they require.

Section 32 sets out, in relation to different categories of school, the body which is responsible for determining the dates of school terms, school holidays and school session times. The National Assembly may make regulations as to proposals to change the times of school sessions.

Section 39 contains definitions.

Section 155 and Schedule 14 amend Schedule 26 to the 1998 Act which makes provision in relation to inspection of nursery education. These amendments will allow inspections to be carried out by members of the inspectorate as well as registered nursery inspectors, and allow Her Majesty's Chief Inspector of Education and Training in Wales to register those persons she considers appropriate and to take into account the need for inspectors in Wales. Previously she registered any person who satisfied the statutory criteria. Schedule 14 also contains amendments which will mean that appeals against decisions on registration will be made in England to the tribunal established under section 9 of the Protection of Children Act 1999. Appeals in Wales will continue to be made to the Registered Nursery Inspector's Tribunal, but there are some amendments which are consequential on the changes in England.

Section 176 imposes a duty on LEAs and governing bodies to have regard to National Assembly guidance about consultation with pupils in connection with taking decisions affecting them.

NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH

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

Mae darpariaethau canlynol Deddf Addysg 2002 wedi'u dwyn i rym mewn perthynas â Chymru trwy orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

Y ddarpariaeth	*Y Dyddiad Cychwyn*	*Rhif O.S.*
Adrannau 14 i 17	31 Mawrth 2003	2002/3185 (Cy.301)
Adran 18(2)	31 Mawrth 2003	2002/3185 (Cy.301)
Adran (19)(6) (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)
Adrannau 27 a 28	1 Medi 2003	2003/1718 (Cy.185)
Adran 29	1 Medi 2003	2003/1718 (Cy.185)
Adran 40 (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)
Adran 41	4 Rhagfyr 2003	2003/2961 (Cy.278)
Adran 42	4 Rhagfyr 2003	2003/2961 (Cy.278)
Adran 43	1 Tachwedd 2003	2003/1718 (Cy.185)
Adran 46	1 Rhagfyr 2003	2003/2961 (Cy.278)
Adran 49	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adran 51 (yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)
Adran 52 (yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)
Adrannau 54 i 56	19 Rhagfyr 2002	2002/3185 (Cy.301)
Adrannau 60 i 64	1 Awst 2003	2003/1718 (Cy.185)
Adran 75 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Education Act 2002 have been brought into force in relation to Wales by commencement order made before the date of this Order:

Provision	*Date of Commencement*	*S.I. No.*
Sections 14 to 17	31st March 2003	2002/3185 (W.301)
Section 18(2)	31st March 2003	2002/3185 (W.301)
Section 19(6) (partially)	1st September 2003	2003/1718 (W.185)
Sections 27 and 28	1st September 2003	2003/1718 (W.185)
Section 29	1st September 2003	2003/1718 (W.185)
Section 40 (partially)	1st September 2003	2003/1718 (W.185)
Section 41	4th December 2003	2003/2961 (W.278)
Section 42	4th December 2003	2003/2961 (W.278)
Section 43	1st November 2003	2003/1718 (W.185)
Section 46	1st December 2003	2003/2961 (W.278)
Section 49	19th December 2002	2002/3185 (W.301)
Section 51 (partially)	9th January 2004	2003/2961 (W.278)
(partially)	31st March 2004	2004/912 (W.95)
Section 52 (partially)	9th January 2004	2003/2961 (W.278)
Sections 54 to 56	19th December 2002	2002/3185 (W.301)
Sections 60 to 64	1st August 2003	2003/1718 (W.185)
Section 75 (partially)	19th December 2002	2002/3185 (W.301)

Adrannau 97 a 98	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 97 and 98	19th December 2002	2002/3185 (W.301)
Adran 99(1)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 99(1)	19th December 2002	2002/3185 (W.301)
Adran 100 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 100 (partially)	19th December 2002	2002/3185 (W.301)
Adran 101 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 101 (partially)	19th December 2002	2002/3185 (W.301)
Adran 103	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 103	19th December 2002	2002/3185 (W.301)
Adrannau 105 i 107	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 105 to 107	19th December 2002	2002/3185 (W.301)
Adran 108 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 108 (partially)	19th December 2002	2002/3185 (W.301)
Adran 109	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 109	19th December 2002	2002/3185 (W.301)
Adrannau 111 i 118	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 111 to 118	19th December 2002	2002/3185 (W.301)
Adran 119	1 Hydref 2002	2002/2439	Section 119	1st October 2002	2002/2439
Adran 120(1) a (3) i (5)	1 Hydref 2002	2002/2439	Section 120(1) and (3) to (5)	1st October 2002	2002/2439
Adran 120(2)	1 Awst 2003	2003/1667	Section 120(2)	1st August 2003	2003/1667
Adran 121	1 Hydref 2002	2002/2439	Section 121	1st October 2002	2002/2439
Adran 122 i 129	1 Awst 2003	2003/1667	Section 122 to 129	1st August 2003	2003/1667
Adran 130 (yn rhannol)	1 Hydref 2002	2002/2439	Section 130 (partially)	1st October 2002	2002/2439
(yn llawn)	1 Awst 2003	2003/1667	(fully)	1st August 2003	2003/1667
Adran 131	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 131	19th December 2002	2002/3185 (W.301)
Adrannau 132 a 133	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 132 and 133	19th December 2002	2002/3185 (W.301)
Adran 134 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 134 (partially)	19th December 2002	2002/3185 (W.301)
Adran 135	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 135	19th December 2002	2002/3185 (W.301)
Adrannau 136 i 140	1 Medi 2003	2003/1718 (Cy.185)	Sections 136 to 140	1st September 2003	2003/1718 (W.185)
Adran 141	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 141	19th December 2002	2002/3185 (W.301)
Adrannau 142 i 144	31 Mawrth 2003	2002/3185 (Cy.301)	Sections 142 to 144	31st March 2003	2002/3185 (W.301)
Adran 145	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 145	19th December 2002	2002/3185 (W.301)
Adran 146 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 146 (partially)	31st March 2003	2002/3185 (W.301)

Adran 148 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 148 (partially)	19th December 2002	2002/3185 (W.301)
Adran 149	31 Mawrth 2003	2002/3185 (Cy.301)	Section 149	31st March 2003	2002/3185 (W.301)
Adran 150	31 Mawrth 2003	2002/3185 (Cy.301)	Section 150	31st March 2003	2002/3185 (W.301)
Adran 151(2)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 151(2)	19th December 2002	2002/3185 (W.301)
Adran 152 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 152 (partially)	19th December 2002	2002/3185 (W.301)
Adran 154	31 Mawrth 2004	2004/912 (Cy.95)	Section 154	31st March 2004	2004/912 (W.95)
Adran 156	31 Mawrth 2004	2004/912 (Cy.95)	Section 156	31st March 2004	2004/912 (W.95)
Adrannau 157 i 174	1 Ionawr 2004	2003/2961 (Cy.278)	Sections 157 to 174	1st January 2004	2003/2961 (W.278)
Adran 177	1 Awst 2004	2004/912 (Cy.95)	Section 177	1st August 2004	2004/912 (W.95)
Adran 178(1) a (4)	1 Awst 2003	2003/1718 (Cy.185)	Section 178(1) and (4)	1st August 2003	2003/1718 (W.185)
Adran 179 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 179 (partially)	19th December 2002	2002/3185 (W.301)
Adran 180	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 180	19th December 2002	2002/3185 (W.301)
Adrannau 181 i 185	1 Medi 2003	2003/1718 (Cy. 185)	Sections 181 to 185	1st September 2003	2003/1718 (W.185)
Adran 188 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 188 (partially)	19th December 2002	2002/3185 (W.301)
(yn rhannol)	1 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	1st December 2003	2003/2961 (W.278)
Adran 189 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 189 (partially)	19th December 2002	2002/3185 (W.301)
Adrannau 191 i 194	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 191 to 194	19th December 2002	2002/3185 (W.301)
Adran 195 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 195 (partially)	31st March 2003	2002/3185 (W.301)
(yn llawn)	1 Medi 2003	2002/3185 (Cy.301)	(fully)	1st September 2003	2002/3185 (W.301)
Adran 196	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 196	19th December 2002	2002/3185 (W.301)
Adran 197	1 Medi 2003	2003/1718 (Cy.185)	Section 197	1st September 2003	2003/1718 (W.185)
Adran 198	31 Mawrth 2004	2004/912 (Cy.95)	Section 198	31st March 2004	2004/912 (W.95)
Adran 199	1 Medi 2003	2003/1718 (Cy.185)	Section 199	1st September 2003	2003/1718 (W.185)

Adran 200	31 Mawrth 2003	2002/3185 (Cy.301)	Section 200	31st March 2003	2002/3185 (W.301)
Adran 201 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 201 (partially)	31st March 2003	2002/3185 (W.301)
Adrannau 202 a 203	1 Medi 2003	2003/1718 (Cy.185)	Sections 202 and 203	1st September 2003	2003/1718 (W.185)
Adran 206	1 Medi 2003	2003/1718 (Cy.185)	Section 206	1st September 2003	2003/1718 (W.185)
Adran 207 a 208	9 Ionawr 2004	2003/2961 (Cy.278)	Sections 207 and 208	9th January 2004	2003/2961 (W.278)
Adran 215 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 215 (partially)	19th December 2002	2002/3185 (W.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	(partially)	31st March 2003	2002/3185 (W.301)
(yn rhannol)	1 Awst 2003	2003/1718 (Cy.185) a 2003/1667	(partially)	1st August 2003	2003/1718 (W.185) and 2003/1667
(yn rhannol)	1 Medi 2003	2002/3185 (Cy.301) a 2003/1718 (Cy.185)	(partially)	1st September 2003	2002/3185 (W.301) and 2003/1718 (W.185)
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	4th December 2003	2003/2961 (W.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)	(partially)	1st January 2004	2003/2961 (W.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	(partially)	9th January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31st March 2004	2004/912 (W.95)
(yn rhannol)	1 Awst 2004	2004/912 (Cy.95)	(partially)	1st August 2004	2004/912 (W.95)
Atodlen 1, paragraff 3 (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	Schedule 1, paragraph 3 (partially)	1st September 2003	2003/1718 (W.185)
Atodlen 3, paragraffau 1 i 5	1 Medi 2003	2003/1718 (Cy.185)	Schedule 3, paragraphs 1 to 5	1st September 2003	2003/1718 (W.185)
Atodlen 4, paragraffau 1 a 4	9 Ionawr 2004	2003/2961 (Cy.278)	Schedule 4, paragraphs 1 and 4	9th January 2004	2003/2961 (W.278)
Paragraff 12(1), (3) i (5)	31 Mawrth 2004	2004/912 (Cy.95)	Paragraph 12(1), (3) to (5)	31st March 2004	2004/912 (W.95)
Atodlen 5	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 5	19th December 2002	2002/3185 (W.301)
Atodlen 10, paragraffau 1, 6, 11 a 15	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 10, paragraphs 1, 6, 11 and 15	19th December 2002	2002/3185 (W.301)

Atodlen 11	1 Hydref 2002	2002/2439
Atodlen 12, paragraffau 1, 2, 4(1) a (3), 6 a 7	19 Rhagfyr 2002	2002/3185 (Cy.301)
Paragraff 12(1) a (2)	31 Mawrth 2003	2002/3185 (Cy.301)
Atodlen 13, paragraffau 1 i 3, 5, 6, 7(1) a (3) ac 8	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 16, paragraffau 1 i 3	1 Rhagfyr 2003	2003/2961 (Cy.278)
Paragraffau 4 i 9	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 17, paragraffau 5(1) i (4), (6) a 6 i 8	19 Rhagfyr 2002	2002/3185 (Cy.301)
Atodlen 18, paragraffau 1, 4, 5 a 7,	31 Mawrth 2003	2002/3185 (Cy.301)
Paragraff 8 (yn rhannol),	31 Mawrth 2003	2002/3185 (Cy.301)
Paragraffau 13 i 15	31 Mawrth 2003	2002/3185 (Cy.301)
Paragraffau 2, 3, 6, 8 (yn llawn), 9 i 12 ac 16 i 18	1 Medi 2003	2002/3185 (Cy.301)
Atodlen 19	1 Medi 2003	2003/1718 (Cy.185)
Atodlen 20	1 Medi 2003	2003/1718 (Cy.185)
Atodlen 21 (yn rhannol)	1 Hydref 2002	2002/2439
(yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)
(yn rhannol)	1 Awst 2003	2003/1667
(yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)

Schedule 11	1st October 2002	2002/2439
Schedule 12, paragraphs 1, 2, 4(1) and (3), 6 and 7,	19th December 2002	2002/3185 (W.301)
Paragraph 12(1) and (2)	31st March 2003	2002/3185 (W.301)
Schedule 13, paragraphs 1 to 3, 5, 6, 7(1) and (3) and 8	19th December 2002	2002/3185 (W.301)
Schedule 16, paragraphs 1 to 3	1st December 2003	2003/2961 (W.278)
Paragraphs 4 to 9	19th December 2002	2002/3185 (W.301)
Schedule 17, paragraphs 5(1) to (4), (6) and 6 to 8	19th December 2002	2002/3185 (W.301)
Schedule 18, paragraphs 1, 4, 5 and 7,	31st March 2003	2002/3185 (W.301)
Paragraph 8 (partially),	31st March 2003	2002/3185 (W.301)
Paragraphs 13 to 15,	31st March 2003	2002/3185 (W.301)
Paragraphs 2, 3, 6, 8 (fully), 9 to 12 and 16 to 18	1st September 2003	2002/3185 (W.301)
Schedule 19	1st September 2003	2003/1718 (W.185)
Schedule 20	1st September 2003	2003/1718 (W.185)
Schedule 21 (partially)	1st October 2002	2002/2439
(partially)	19th December 2002	2002/3185 (W.301)
(partially)	31st March 2003	2002/3185 (W.301)
(partially)	1st August 2003	2003/1667
(partially)	1st September 2003	2003/1718 (W.185)
(partially)	4th December 2003	2003/2961 (W.278)
(partially)	1st January 2004	2003/2961 (W.278)

(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)
Atodlen 22 (yn rhannol)	1 Hydref 2002	2002/2439
(yn rhannol)	9 Rhagfyr 2002	2002/3185 (Cy.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)
(yn rhannol)	1 Awst 2003	2003/1718 (Cy.185)
(yn rhannol)	1 Medi 2003	2002/3185 (Cy.301), 2003/1718 (Cy.185) a 2003/1667
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)
(yn rhannol)	1 Awst 2004	2004/912 (Cy.95)

Mae amryw o ddarpariaethau Deddf Addysg 2002 wedi'u dwyn i rym mewn perthynas â Lloegr gan yr Offerynnau Statudol canlynol: O.S. 2002/2002 (fel y'i diwygiwyd gan O.S. 2002/2018), O. S. 2002/2439 (fel y'i diwygiwyd gan O.S. 2003/606 (wedi'i ddirymu) a 2003/2992), O.S. 2002/2952, O.S. 2003/124, O.S. 2003/1115, O.S. 2003/1667, O.S. 2003/2071 ac O.S. 2004/1318.

(partially)	9th January 2004	2003/2961 (W.278)
(partially)	31st March 2004	2004/912 (W.95)
Schedule 22 (partially)	1st October 2002	2002/2439
(partially)	9th December 2002	2002/3185 (W.301)
(partially)	31st March 2003	2002/3185 (W.301)
(partially)	1st August 2003	2003/1718 (W.185)
(partially)	1st September 2003	2002/3185 (W.301), 2003/1718 (W.185) and 2003/1667
(partially)	4th December 2003	2003/2961 (W.278)
(partially)	1st January 2004	2003/2961 (W.278)
(partially)	9th January 2004	2003/2961 (W.278)
(partially)	31st March 2004	2004/912 (W.95)
(partially)	1st August 2004	2004/912 (W.95)

Various provisions of the Education Act 2002 have been brought into force in relation to England by the following Statutory Instruments: S.I. 2002/2002 (as amended by S.I. 2002/2018), S.I. 2002/2439 (as amended by S.I. 2003/606 (revoked) and 2003/2992), S.I. 2002/2952, S.I. 2003/124, S.I. 2003/1115, S.I. 2003/1667, S.I. 2003/2071 and S.I. 2004/1318.

OFFERYNNAU STATUDOL

2004 Rhif 1728 (Cy.172) (C.67)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 5) (Cymru) 2004

Wedi'i wneud *13 Gorffennaf 2004*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵer a roddwyd iddo gan adran 216(4)(b) a (5) o Ddeddf Addysg 2002(**a**), drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, cymhwyso a dehongli

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 5) (Cymru) 2004.

2. Mae'r darpariaethau sy'n cael eu dwyn i rym gan y Gorchymyn hwn yn cael eu dwyn i rym mewn perthynas â Chymru yn unig.

3. Yn y Gorchymyn hwn, oni nodir fel arall, mae cyfeiriadau at adrannau ac Atodlenni yn gyfeiriadau at adrannau o Ddeddf Addysg 2002 a'r Atodlenni iddi.

Diwrnodau penodedig

4. 1 Awst 2004 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan 1 o'r Atodlen i'r Gorchymyn hwn ddod i rym.

5. 1 Medi 2004 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan 2 o'r Atodlen i'r Gorchymyn hwn ddod i rym.

(a) 2002 p.32.

STATUTORY INSTRUMENTS

2004 No. 1728 (W.172) (C.67)

EDUCATION, WALES

The Education Act 2002 (Commencement No. 5) (Wales) Order 2004

Made *13th July 2004*

The National Assembly for Wales, in exercise of the power conferred upon it by section 216(4)(b) and (5) of the Education Act 2002(**a**), hereby makes the following Order:

Name, application and interpretation

1.This Order is called the Education Act 2002 (Commencement No.5) (Wales) Order 2004.

2. Provisions brought into force by this Order are brought into force 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 Education Act 2002.

Appointed days

4. The day appointed for the coming into force of the provisions specified in Part 1 of the Schedule to this Order is 1st August 2004.

5. The day appointed for the coming into force of the provisions specified in Part 2 of the Schedule to this Order is 1st September 2004.

(a) 2002 c.32.

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**).

13 Gorffennaf 2004

13th July 2004

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

RHAN 1

Darpariaethau yn dod i rym ar 1 Awst 2004

Y ddarpariaeth	Y pwnc
Adran 72	Cynigion sy'n ymwneud â dosbarthiadau chwech
Adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 21 isod	Mân ddiwygiadau a diwygiadau canlyniadol
Atodlen 9	Cynigion sy'n ymwneud â dosbarthiadau chwech - gweithredu
Atodlen 21	Mân ddiwygiadau a diwygiadau canlyniadol
Paragraff 100(3)	

RHAN 2

Darpariaethau sy'n dod i rym ar 1 Medi 2004

Y ddarpariaeth	Y pwnc
Adran 21	Cyfrifoldeb cyffredinol dros redeg ysgol
Adran 22	Hyfforddiant a chymorth i lywodraethwyr
Adran 30	Adroddiadau llywodraethwyr a gwybodaeth arall
Adran 32	Cyfrifoldeb dros bennu dyddiadau tymhorau a gwyliau ac amserau sesiynau

PART 1

Provisions coming into force on 1st August 2004

Provision	Subject matter
Section 72	Proposals relating to sixth forms
Section 215(1) in so far as it relates to the provisions of Schedule 21 below	Minor and consequential amendments
Schedule 9	Proposals relating to sixth forms - implementation
Schedule 21	Minor and consequential amendments
Paragraph 100(3)	

PART 2

Provisions coming into force on 1st September 2004

Provision	Subject matter
Section 21	General responsibility for conduct of school
Section 22	Training and support of governors
Section 30	Governors' reports and other information
Section 32	Responsibility for fixing dates of terms and holidays and times of sessions
Section 39(1) in so far as it relates to the definition of "statutory provision"	Interpretation of Chapter 1

Adran 39(1) i'r graddau y mae'n ymwneud â'r diffiniad o "statutory provision"	Dehongli Pennod 1
Adran 155	Arolygu addysg feithrin
Adran 176	Ymgynghori â disgyblion
Adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 21 isod	Mân ddiwygiadau a diwygiadau canlyniadol
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau
Atodlen 14, paragraffau 1 i 7	Arolygu addysg feithrin
Atodlen 21 -	Mân Ddiwygiadau a Diwygiadau Canlyniadol
Paragraff 39(1) a (5)	
Paragraff 63 ac eithrio is-baragraff (a)	
Paragraff 68	
Paragraff 110(1) a (3) ond at ddiben dileu paragraff (e) o is-adran (6) o adran 127 o Ddeddf Safonau a Fframwaith Ysgolion 1998	
Atodlen 22, Rhan 3, diddymu -	Diddymiadau
Deddf Plant 1989(**a**), adran 79P(4)(d) a'r "and" sy'n dod o'i blaen;	
Deddf Safonau a Fframwaith Ysgolion 1998(**b**). Adran 38, adrannau 41 a 42, adran 127(6)(e), yn adran 138,	

(a) 1989 p.41.

(b) 1998 p.31.

Section 155	Inspection of nursery education
Section 176	Consultation with pupils
Section 215(1) in so far as it relates to the provisions of Schedule 21 below	Minor and consequential amendments
Section 215(2) in so far as it relates to the provisions of Schedule 22 below	Repeals
Schedule 14, paragraphs 1 to 7	Inspection of nursery education
Schedule 21 -	Minor and Consequential Amendments
Paragraph 39(1) and (5)	
Paragraph 63 except sub-paragraph (a)	
Paragraph 68	
Paragraph 110(1) and (3) only for the purpose of omitting paragraph (e) of subsection (6) of section 127 of the School Standards and Framework Act 1998	
Schedule 22, Part 3, the repeal of -	Repeals
Children Act 1989(**a**), section 79P(4)(d) and the preceding "and";	
School Standards and Framework Act 1998(**b**). Section 38, Sections 41 and 42, Section 127(6)(e), in section 138, in subsection (4)(b), the words "paragraph 4 or 8 of Schedule 23 or", and in subsection (5), paragraph (a)(ii) and (iii) and, in paragraph (b)(ii), the word "46",	

(a) 1989 c.41.

(b) 1998 c.31.

yn is-adran
(4)(b),
y geiriau
"paragraph 4
or 8 of Schedule 23
or", ac yn is-adran (5),
paragraff (a)(ii) a (iii) ac,
ym mharagraff (b)(ii),
y gair "46",
yn Rhan II o Atodlen 11,
paragraff 7,
yn Atodlen 30,
paragraff 204(b)

in Part II of Schedule 11,
paragraph 7,
in Schedule 30, paragraph
204(b)

OFFERYNNAU STATUDOL

2004 Rhif 1728 (Cy.172) (C.67)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 5) (Cymru) 2004

STATUTORY INSTRUMENTS

2004 No. 1728 (W.172) (C.67)

EDUCATION, WALES

The Education Act 2002 (Commencement No. 5) (Wales) Order 2004

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