CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 1338 (Cy.130) (C.45)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2005 (Cychwyn Rhif 1 a Darpariaethau Trosiannol) (Cymru) 2006

NODYN ESBONIADOL

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

Dyma'r gorchymyn cychwyn cyntaf o dan Ddeddf Addysg 2005 ("Deddf 2005") i gael ei wneud gan Gynulliad Cenedlaethol Cymru. Mae'n dwyn i rym holl ddarpariaethau Deddf 2005 sy'n gofyn am orchymyn gan y Cynulliad Cenedlaethol i'w dwyn i rym, ac eithrio adran 101 ac Atodlen 16 (a diwygiadau canlyniadol perthynol a diddymiadau yn Atodlenni 18 a 19) ynghylch ariannu ysgolion a gynhelir, ac adran 70 (a diwygiad canlyniadol perthynol yn Atodlen 12) ynghylch cynigion i gau ysgolion cynradd gwledig. Er hynny, dygir adrannau 41 a 42 i rym yn unig wrth eu cymhwyso i ysgolion arbennig o'r math y cyfeirir ato yn adran 28(2)(d).

Ar wahân i ddarpariaethau sy'n ymwneud â gwasanaethau gyrfaoedd yng Nghymru ac a ddygir i rym gan y Gorchymyn ar 1 Ebrill 2007 (gweler Atodlen 3), dygir y darpariaethau a ddygir i rym gan y Gorchymyn i rym ar 1 Medi 2006 (gweler Atodlenni 1 a 2). Dygir y darpariaethau a restrir yn Atodlen 1 i rym o ran Cymru yn unig. Am resymau technegol, mae'r rhai a restrir yn Atodlenni 2 a 3 yn cael eu dwyn i rym o ran Cymru a Lloegr, ond at ddibenion ymarferol, nid ydynt yn gymwys yn Lloegr.

Mae disgrifiad cryno isod o'r darpariaethau a ddygir i rym gan y Gorchymyn. Yn yr hyn a ganlyn, mae cyfeiriadau at adrannau ac Atodlenni yn gyfeiriadau at adrannau o Ddeddf 2005 ac at Atodlenni iddi.

Darpariaethau yn Rhan 1 a ddygir i rym gan y Gorchymyn

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 1338 (W.130) (C.45)

EDUCATION, WALES

The Education Act 2005 (Commencement No. 1 and Transitional Provisions) (Wales) Order 2006

EXPLANATORY NOTE

(This note is not part of the Order)

This is the first commencement order under the Education Act 2005 ("the 2005 Act") to be made by the National Assembly for Wales. It brings into force all the provisions of the 2005 Act which require an order of the National Assembly to bring them into force, with the exception of section 101 and Schedule 16 (and related consequential amendments and repeals in Schedules 18 and 19) concerning the financing of maintained schools, and section 70 (and a related consequential amendment in Schedule 12) concerning proposals for the discontinuance of rural primary schools. However, sections 41 and 42 are brought into force only in their application to special schools of the kind referred to in section 28(2)(d).

Apart from provisions relating to the careers services in Wales, which are brought into force by the Order on 1 April 2007 (see Schedule 3), the provisions brought into force by the Order are brought into force on 1 September 2006 (see Schedules 1 and 2). The provisions listed in Schedule 1 are brought into force in relation to Wales only. For technical reasons those listed in Schedules 2 and 3 are brought into force in relation to England and Wales, although, for practical purposes, they have no application in England.

The provisions brought into force by the Order are described briefly below. In what follows, references to sections and Schedules are to sections of, and Schedules to, the 2005 Act.

Provisions in Part 1 brought into force by the Order

Gan mwyaf, mae darpariaethau ar wahân (a gwahanol) yn gymwys i Gymru i'r rhai sy'n gymwys i Loegr. Mae penodau 1 a 2 o Ran 1 o Ddeddf 2005, a ddaeth i rym pan gafwyd y Cydsyniad Brenhinol (7 Ebrill 2005) yn ddarpariaethau newydd nad ydynt yn gymwys ond i Loegr. O ran Lloegr, maent yn disodli'r gyfraith sy'n ymwneud ag arolygiadau ysgolion yn Neddf Arolygiadau Ysgolion 1966 ("Deddf 1996"). Yn rhinwedd adran 62 gellir cyflwyno system debyg i Gymru os bydd y Cynulliad Cenedlaethol yn penderfynu gwneud hynny ac ar adeg y bydd y Cynulliad Cenedlaethol yn ei phenderfynu. Yn y cyfamser, mae darpariaethau Rhan 1 (gan gynnwys Atodlenni 1 - 9) a ddygir i rym gan y Gorchymyn hwn gan mwyaf yn ailddeddfu Deddf 1996 fel y mae'n gymwys i Gymru. Diddymir y Ddeddf honno yn ei chyfanrwydd gan adran 60. Ar wahân i'r darpariaethau a ailddeddfir, mae'r darpariaethau a ddygir i rym gan y Gorchymyn hwn yn darparu ar gyfer arolygu'r gwasanaethau gyrfaoedd, ac yn gwneud rhai diwygiadau (diwygiadau canlyniadol at ei gilydd) i amrywiol ddeddfiadau sy'n ymwneud ag arolygiadau (gan gynnwys deddfiadau sy'n ymwneud ag arolygu dosbarthiadau chwech; gwarchod plant, gofal dydd ac addysg feithrin; ac ysgolion annibynnol) - Atodlenni 5 i 9.

Ymhlith y newidiadau sylweddol y mae-

- darpariaeth newydd ar gyfer arolygu gwasanaethau gyrfaoedd yng Nghymru (adrannau 55 - 57)
- pwerau i'r Cynulliad Cenedlaethol i roi cyngor ar benodi neu ddiswyddo Prif Arolygydd Cymru, ac i sefydlu bwrdd cynghori i roi cyngor ynghylch swyddogaethau'r Prif Arolygydd (adrannau 19 a 22)
- newidiadau yn y ddarpariaeth ar gyfer ysgolion sy'n peri pryder; yn enwedig, yn y ffordd y mae'r ysgolion hynny i'w categoreiddio mewn adroddiadau arolygu (Pennod 5 o Ran 1)
- O ran arolygiadau o addysg grefyddol, mae gofyniad newydd i ysgolion eglwysig ymgynghori â phersonau a bennir mewn rheoliadau a wneir gan y Cynulliad Cenedlaethol cyn dewis arolygydd (adran 50)
- darpariaeth newydd sy'n galluogi gwneud adroddiadau cyfunol o ran arolygiadau a wneir o dan Ddeddf 2005 ac amryw o ddeddfiadau eraill sy'n ymwneud ag addysg a phlant (adran 59)

Darpariaethau yn Rhannau 2 a 4 a ddygir i rym gan y Gorchymyn

Mae adran 71 yn diwygio adran 31 o Ddeddf Safonau a Fframwaith Ysgolion 1998 i wneud ymgynghori yn ofynnol o ran cynigion penodol sy'n ymwneud ag ysgol arbennig a gynhelir.

For the main part, separate (and different) provisions apply to Wales from those which apply to England. Chapters 1 and 2 of Part 1 of the 2005 Act, which came into force on Royal Assent (7 April 2005), are new provisions applying only to England. They replace, in relation to England, the law relating to school inspections in the School Inspections Act 1996 ("the 1996 Act"). By virtue of section 62, a similar system can be introduced in Wales when and if the National Assembly so decide. In the meantime, the provisions of Part 1 (including Schedules 1 - 9) brought into force by this Order largely re-enact the 1996 Act in its application to Wales. That Act is repealed in its entirety by section 60. Apart from the re-enacted provisions, the provisions brought into force by this Order make provision for the inspection of the careers services, and effect some amendments (largely consequential) to various enactments relating to inspections (including enactments relating to the inspection of sixth forms; child minding, day care and nursery education; and independent schools) - Schedules 5 to 9.

Changes of substance include-

- new provision for the inspection of the careers services in Wales (sections 55 - 57)
- powers for the National Assembly to provide advice on the appointment or removal of the Chief Inspector for Wales, and to establish an advisory board to provide advice relating to the Chief Inspector's functions (sections 19 and 22)
- changes in the provision for schools causing concern; in particular, in the way in which such schools are to be categorised in inspection reports (Chapter 5 of Part 1)
- In the case of inspections of religious education, a new requirement for church schools to consult persons specified in regulations made by the National Assembly before choosing an inspector (section 50)
- new provision enabling combined reports to be made in respect of inspections carried out under the 2005 Act and various other enactments relating to education and children (section 59)

Provisions in Parts 2 and 4 brought into force by the Order

Section 71 amends section 31 of the School Standards and Framework Act 1998 so as to require consultation in the case of certain proposals relating to a maintained special school.

Mae adran 73 yn diffinio termau a ddefnyddir yn Rhan 2.

Section 73 defines terms used in Part 2.

Mae adran 105 yn mewnosod adran 28A newydd yn Neddf Addysg 2002 sy'n rhoi pwerau cyfyngedig i ysgolion a gynhelir gynnig cyrsiau addysg uwch i'w disgyblion.

Section 105 inserts a new section 28A into the Education Act 2002 giving maintained schools limited powers to offer their pupils courses of higher education.

Mae adran 106 yn mewnosod adran 89(1A) newydd yn Neddf Safonau a Fframwaith Ysgolion 1998 ynghylch trefniadau derbyn ar gyfer plant sy'n derbyn gofal.

Section 106 inserts a new section 89(1A) into the School Standards and Framework Act 1998 concerning admission arrangements for looked after children.

Mae adran 115 yn diwygio adran 29(3) o Ddeddf Addysg 2002 (ynghylch pŵer corff llywodraethu ysgol i gyfarwyddo disgyblion i fynychu darpariaeth addysgol amgen).

Section 115 amends section 29(3) of the Education Act 2002 (concerning the power of the governing body of a school to direct pupils to attend alternative educational provision).

Mae adran 116 yn mewnosod adran newydd 444ZA yn Neddf Addysg 1996 ynghylch methiant â sicrhau bod disgyblion yn mynychu'r ysgol a hysbysiadau cosb.

Section 116 inserts a new section 444ZA into the Education Act 1996 concerning failure to secure regular school attendance and penalty notices.

Mae adran 117 yn cyflwyno Atodlen 18 sy'n diwygio amryw o ddeddfiadau.

Section 117 introduces Schedule 18 which makes amendments to various enactments.

Mae adran 118 yn diffinio "the 2002 Act" at ddibenion Rhan 4.

Section 118 defines "the 2002 Act" for the purposes of Part 4.

Mae adran 123 yn cyflwyno Atodlen 19 (Diddymu).

Section 123 introduces Schedule 19 (Repeals).

Darpariaethau trosiannol ac arbedion

Transitional and saving provisions

Mae Atodlen 4 yn cynnwys darpariaethu trosiannol ac arbedion.

Schedule 4 contains transitional and saving provisions.

OFFERYNNAU STATUDOL

2006 Rhif 1338 (Cy.130) (C.45)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2005 (Cychwyn Rhif 1 a Darpariaethau Trosiannol) (Cymru) 2006

Wedi'i wneud *16 Mai 2006*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 120(2) a 125(4) o Ddeddf Addysg 2005(**1**), drwy hyn yn gwneud y Gorchymyn a ganlyn:

Enwi a dehongli

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg 2005 (Cychwyn Rhif 1 a Darpariaethau Trosiannol a Darpariaethau Trosiannol) (Cymru) 2006.

2.-(1)Yn y Gorchymyn hwn-

ystyr "Deddf 1996" ("*the 1996 Act*") yw Deddf Arolygiadau Ysgolion 1996(**2**);

ystyr "Deddf 1998" ("*the 1998 Act*") yw Deddf Safonau a Fframwaith Ysgolion 1998(**3**);

ystyr "Deddf 2000" ("*the 2000 Act*") yw Deddf Dysgu a Medrau 2000(**4**); ac

ystyr "Deddf 2005" ("*the 2005 Act*") yw Deddf Addysg 2005.

(2) Yn y Gorchymyn hwn, oni nodir fel arall, mae cyfeiriadau at adrannau ac Atodlenni yn gyfeiriadau at adrannau o Ddeddf 2005 ac at Atodlenni iddi.

Y Diwrnod penodedig

3. Daw darpariaethau Deddf 2005 a bennir yn Atodlen 1 i'r Gorchymyn hwn i rym ar 1 Medi 2006 o ran Cymru.

(**1**) 2005 p.18.

(**2**) 1996 p.57.

(**3**) 1998 p.31.

(**4**) 2000 p.21.

STATUTORY INSTRUMENTS

2006 No. 1338 (W.130) (C.45)

EDUCATION, WALES

The Education Act 2005 (Commencement No. 1 and Transitional Provisions) (Wales) Order 2006

Made *16 May 2006*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 120(2) and 125(4) of the Education Act 2005(**1**), hereby makes the following Order:

Title and interpretation

1. The title of this Order is the Education Act 2005 (Commencement No. 1 and Transitional Provisions) (Wales) Order 2006.

2.-(1) In this Order-

"the 1996 Act" ("*Deddf 1996*") means the School Inspections Act 1996(**2**);

"the 1998 Act" ("*Deddf 1998*") means the School Standards and Framework Act 1998(**3**);

"the 2000 Act" ("*Deddf 2000*") means the Learning and Skills Act 2000(**4**); and

"the 2005 Act" ("*Deddf 2005*") means the Education Act 2005.

(2) In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the 2005 Act.

Appointed day

3. The provisions of the 2005 Act specified in Schedule 1 to this Order are to come into force on 1 September 2006 in relation to Wales.

(**1**) 2005 c.18.

(**2**) 1996 c.57.

(**3**) 1998 c.31.

(**4**) 2000 c.21.

4.-(1) Yn ddarostyngedig i baragraff (2), mae darpariaethau Deddf 2005 a bennir yn Atodlen 2 i'r Gorchymyn hwn i ddod i rym ar 1 Medi 2006 o ran Cymru a Lloegr.

(2) Nid yw adrannau 41 a 42 i ddod i rym ond i'r graddau eu bod yn gymwys i ysgolion arbennig o'r disgrifiad sydd yn adran 28(2)(d).

5. Daw darpariaethau Deddf 2005 a bennir yn Atodlen 3 i'r Gorchymyn hwn i rym ar 1 Ebrill 2007 o ran Cymru a Lloegr.

Darpariaethau trosiannol ac arbedion

6. Mae'r darpariaethau trosiannol a'r arbedion a nodir yn Atodlen 4 yn gymwys.

4.-(1) Subject to paragraph (2), the provisions of the 2005 Act specified in Schedule 2 to this Order are to come into force on 1 September 2006 in relation to England and Wales.

(2) Sections 41 and 42 are to come into force only in their application to special schools of the description referred to in section 28(2)(d).

5. The provisions of the 2005 Act specified in Schedule 3 to this Order are to come into force on 1 April 2007 in relation to England and Wales.

Transitional provisions and savings

6. The transitional provisions and savings set out in the Schedule 4 apply.

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

16 Mai 2006

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

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

16 May 2006

The Presiding Officer of the National Assembly

(**1**) 1998 p.38.

(**1**) 1998 c.38.

ATODLEN 1

Erthygl 3

Darpariaethau sy'n dod i rym ar 1 Medi 2006 o ran Cymru

Y ddarpariaeth	*Y pwnc*
Adran 44	Categorïau o ysgolion sy'n peri pryder.
Adran 45	Achosion pan gaiff y Cynulliad gyfarwyddo cau ysgol.
Adran 46	Dosbarthiadau chwech y mae gofyn eu gwella'n sylweddol.
Adran 47	Ystyr "denominational education".
Adran 51	Pŵer yr AALl i arolygu ysgol a gynhelir at ddiben penodol.
Adran 53, i'r graddau y mae'n ymwneud â darpariaethau Atodlen 7 y cyfeirir atynt isod.	Arolygu gwarchod plant, gofal dydd ac addysg feithrin.
Adran 54	Arolygu ysgolion annibynnol.
Adran 58	Arolygu cofnodion cyfrifiadurol.
Adran 59	Adroddiadau cyfunol.
Adran 60	Diddymu Deddf Arolygiadau Ysgolion 1996.
Adran 61, i'r graddau y mae'n ymwneud â darpariaethau Atodlen 9 y cyfeirir atynt isod.	Diwygiadau pellach sy'n ymwneud ag arolygu ysgolion.
Adran 71	Cynigion sy'n ymwneud ag ysgolion arbennig a gynhelir.
Adran 105	Darparu a chyllido addysg uwch mewn ysgolion a gynhelir.

SCHEDULE 1

Article 3

Provisions coming into force on 1 September 2006 in relation to Wales

Provision	*Subject matter*
Section 44	Categories of Schools causing concern.
Section 45	Cases where Assembly may direct closure of school.
Section 46	Sixth forms requiring significant improvement.
Section 47	Meaning of "denominational education".
Section 51	Power of LEA to inspect maintained school for specific purpose.
Section 53, so far as relating to the provisions of Schedule 7 referred to below.	Inspection of child minding, day care and nursery education.
Section 54	Inspection of independent schools.
Section 58	Inspection of computer records.
Section 59	Combined reports.
Section 60	Repeal of School Inspections Act 1996.
Section 61, so far as relating to the provisions of Schedule 9 referred to below.	Further amendments relating to school inspection.
Section 71	Proposals relating to maintained special schools.
Section 105	Provision and funding of higher education in maintained schools.

Y ddarpariaeth	*Y pwnc*
Adran 106	Trefniadau derbyn i wneud darpariaeth arbennig i blant sy'n derbyn gofal.
Adran 115	Pwer corff llywodraethu i wneud darpariaeth amgen ar gyfer disgyblion sydd wedi'u gwahardd.
Adran 116	Rhiant yn methu â sicrhau bod plentyn yn mynychu'r ddarpariaeth amgen.
Adran 117 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 18 isod.	Diwygiadau pellach sy'n ymwneud â Rhan 4.
Adran 118	Ystyr "the 2002 Act" yn Rhan 4.
Adran 123 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 19 y cyfeirir atynt isod.	Diddymiadau.
Atodlen 5	Dosbarthiadau chwech y mae angen eu gwella'n sylweddol.
Paragraffau 6 i 24 o Atodlen 7.	Arolygu gwarchod plant, gofal dydd ac addysg feithrin.
Atodlen 8	Arolygu ysgolion annibynnol.
Paragraffau 8 i 21 a 28 i 30 o Atodlen 9.	Diwygiadau pellach sy'n ymwneud ag arolygu ysgolion.
Paragraffau 1, 6 a 15 o Atodlen 18.	Diwygiadau pellach sy'n ymwneud â Rhan 4.
Yn Atodlen 19, Rhan 1:	Diddymiadau
Y diddymiadau sy'n ymwneud â: Deddf Addysg 1996, Deddf Arolygiadau Ysgolion 1996, Deddf Addysg 1997, Deddf Safonau a Fframwaith Ysgolion 1998, Deddf Dysgu a Medrau 2000 (ac eithrio adran 81), Deddf Addysg 2002.	Diddymiadau.

Provision	*Subject matter*
Section 106	Admission arrangements to make special provision for looked-after children.
Section 115	Power of governing body to make alternative provision for excluded pupils.
Section 116	Failure of parent to secure regular attendance of child at alternative provision.
Section 117 so far as relating to the provisions of Schedule 18 below.	Further amendments relating to Part 4.
Section 118	Meaning of "the 2002 Act" in Part 4.
Section 123 so far as relating to the provisions of Schedule 19 referred to below.	Repeals.
Schedule 5	Sixth forms requiring significant improvement.
Paragraphs 6 to 24 of Schedule 7.	Inspection of child minding, day care and nursery education.
Schedule 8	Inspection of independent schools.
Paragraphs 8 to 21 and 28 to 30 of Schedule 9.	Further amendments relating to school inspection.
Paragraphs 1, 6 and 15 of Schedule 18.	Further amendments relating to Part 4.
In Schedule 19, Part 1:	Repeals
The repeals relating to: Education Act 1996, School Inspections Act 1996, Education Act 1997, School Standards and Framework Act 1998, Learning and Skills Act 2000 (except the repeal of section 81), Education Act 2002.	Repeals.

ATODLEN 2

Erthygl 4

Darpariaethau sy'n dod i rym ar 1 Medi 2006 o ran Cymru a Lloegr

Y ddarpariaeth	*Y Pwnc*
Adran 19	Arolygiaeth Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru.
Adran 20	Swyddogaethau'r Prif Arolygydd.
Adran 21	Adroddiadau blynyddol ac adroddiadau eraill i'r Cynulliad.
Adran 22	Pŵer y Cynulliad i sefydlu panel cynghorol.
Adran 23	Pwerau mynediad etc y Prif Arolygydd.
Adran 24	Pŵer y Prif Arolygydd i drefnu arolygiadau.
Adran 25	Cofrestru Arolygwyr yng Nghymru.
Adran 26	Tynnu arolygwyr o'r Gofrestr a gorfodi ac amrywio amodau.
Adran 27	Apelau ynghylch cofrestru.
Adran 28	Dyletswydd i drefnu bod ysgolion penodol yn cael eu harolygu'n rheolaidd.
Adran 29	Cyhoeddi adroddiadau arolygu.
Adran 30	Talu ffioedd i Gronfa Gyfunol.
Adran 31	Dehongli Pennod 3.
Adran 32	Arolygiadau gan aelodau o'r Arolygiaeth.
Adran 33	Dyletswydd i roi adroddiad ar arolygiadau adran 28.
Adran 34	Arolygiadau adran 28 gan arolygwyr cofrestredig.
Adran 35	Adroddiadau ar Arolygiadau gan aelodau o'r Arolygiaeth.

SCHEDULE 2

Article 4

Provisions coming into force on 1 September 2006 in relation to England and Wales

Provision	*Subject Matter*
Section 19	Her Majesty's Inspectorate of Education and Training in Wales.
Section 20	Functions of Chief Inspector.
Section 21	Annual and other reports to Assembly.
Section 22	Power of Assembly to establish advisory panel.
Section 23	Powers of entry etc of Chief Inspector.
Section 24	Power of Chief Inspector to arrange for inspections.
Section 25	Registration of Inspectors in Wales.
Section 26	Removal from Register and imposition and variation of conditions.
Section 27	Appeals in relation to registration.
Section 28	Duty to arrange regular inspections of certain schools.
Section 29	Publication of inspection reports.
Section 30	Payment of fees into Consolidated Fund.
Section 31	Interpretation of Chapter 3.
Section 32	Inspections by members of the Inspectorate.
Section 33	Duty to report on section 28 inspections.
Section 34	Section 28 inspections by registered inspectors.
Section 35	Reports of Inspections by members of the Inspectorate.

Adran 36	Amseru arolygiadau adran 28 gan arolygwyr cofrestredig.	Section 36	Timing of section 28 inspections by registered inspectors.
Adran 37	Dyletswydd i hysbysu pan fo arolygiad yn dangos bod ysgol a gynhelir yn peri pryder.	Section 37	Duty to notify where inspection shows maintained school causing concern.
Adran 38	Cyrchfan adroddiadau: ysgolion a gynhelir.	Section 38 maintained schools.	Destination of reports:
Adran 39	Datganiad i'w baratoi gan awdurdod priodol i'r ysgol.	Section 39	Statement to be prepared by appropriate authority for school.
Adran 40	Datganiad i'w baratoi gan awdurdod addysg lleol.	Section 40	Statement to be prepared by local education authority.
Adran 41	Cyrchfan adroddiadau: ysgolion nas cynhelir.	Section 41 non-maintained schools.	Destination of reports:
Adran 42	Datganiad i'w baratoi gan berchennog ysgol.	Section 42	Statement to be prepared by proprietor of school.
Adran 43	Dehongli Pennod 4.	Section 43	Interpretation of Chapter 4.
Adran 50	Arolygu addysg grefyddol: Cymru.	Section 50	Inspection of religious education: Wales.
Adran 52	Darparu gwasanaethau arolygu gan AALl yng Nghymru.	Section 52	Provision of inspection services by LEAs in Wales.
Adran 53, i'r graddau y mae'n ymwneud â pharagraff 5 o Atodlen 7.	Arolygu gwarchod plant, gofal dydd ac addysg feithrin.	Section 53, so far as relating to paragraph 5 of Schedule 7.	Inspection of child minding, day care and nursery education.
Adran 61, i'r graddau y mae'n ymwneud â darpariaethau Atodlen 9 y cyfeirir atynt isod.	Diwygiadau pellach sy'n ymwneud ag arolygu ysgolion.	Section 61, so far as relating to the provisions of Schedule 9 referred to below.	Further amendments relating to school inspection.
Adran 123, i'r graddau y mae'n ymwneud â darpariaethau Atodlen 19 y cyfeirir atynt isod.	Diddymiadau.	Section 123, so far as relating to the provisions of Schedule 19 referred to below.	Repeals.
Atodlen 2	Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru.	Schedule 2	Her Majesty's Chief Inspector of Education and Training in Wales.
Atodlen 3	Cofrestru Arolygwyr yng Nghymru: Tribiwnlysoedd sy'n gwrando apelau o dan adran 27.	Schedule 3	Registration of inspectors in Wales: Tribunals hearing appeals under section 27.

Atodlen 4	Arolygiadau Ysgolion yng Nghymru o dan adran 28.
Atodlen 6	Arolygiadau o addysg enwadol yng Nghymru.
Paragraff 5 o Atodlen 7.	Arolygu gwarchod plant, gofal dydd ac addysg feithrin.
Paragraffau 6, 7, 22 , 24, 25 a 27 o Atodlen 9.	Diwygiadau pellach sy'n ymwneud ag arolygu ysgolion.
Yn Atodlen 19, Rhan 1, yn Neddf Plant 1989, diddymu yn adran 79T(2)(a) y geiriau "the quality and standards of".	Diddymiadau.

Schedule 4	School Inspections in Wales under section 28.
Schedule 6	Inspections of denominational education in Wales.
Paragraph 5 of Schedule 7.	Inspection of child minding, day care and nursery education.
Paragraphs 6, 7, 22, 24, 25 and 27 of Schedule 9.	Further amendments relating to school inspection.
In Schedule 19, Part 1, in the Children Act 1989, the repeal in section 79T(2)(a) of the words "the quality and standards of".	Repeals.

ATODLEN 3

Erthygl 5

Darpariaethau sy'n dod i rym ar 1 Ebrill 2007 o ran Cymru a Lloegr

Y ddarpariaeth	*Y Pwnc*
Adran 55	Arolygu gwasanaethau gyrfaoedd yng Nghymru.
Adran 56	Arolygu gwasanaethau sy'n ymwneud â gwasanaethau gyrfaoedd yng Nghymru.
Adran 57	Arolygiadau o dan adrannau 55 a 56: darpariaethau pellach.
Adran 123 i'r graddau y mae'n ymwneud a darpariaethau Atodlen 19 y cyfeirir atynt isod.	Diddymiadau.
Yn Atodlen 19, Rhan 1, y diddymiadau yn Neddf Addysgu ac Addysg Uwch 1998 a diddymiad adran 81 o Ddeddf Dysgu a Medrau 2000.	Diddymiadau.

SCHEDULE 3

Article 5

Provisions coming into force on 1 April 2007 in relation to England and Wales

Provision	*Subject Matter*
Section 55	Inspection of careers services in Wales.
Section 56	Inspection of services relating to careers services in Wales.
Section 57	Inspections under sections 55 and 56 further provisions.
Section 123 so far as relating to the provisions of Schedule 19 referred to below.	Repeals.
In Schedule 19, Part 1, the repeals in the Teaching and Higher Education Act 1998 and the repeal of section 81 of the Learning and Skills Act 2000.	Repeals

ATODLEN 4

Erthygl 6

DARPARIAETHAU TROSIANNOL AC ARBEDION

1. Mae paragraffau 2 i 5 o'r Atodlen hon yn gymwys er i adran 60 (Diddymu Deddf 1996) gael ei dwyn i rym gan erthygl 3 o'r Gorchymyn hwn.

2. Pan fo'r adroddiad diweddaraf ar arolygiad ysgol wedi'i wneud o dan Ddeddf 1996 a phan fo'r adroddiad hwnnw wedi nodi bod gofyn cymryd camau arbennig mewn perthynas â'r ysgol, mae'r adroddiad hwnnw i'w drin yn adroddiad ar arolygiad a nododd fod gofyn cymryd camau arbennig o dan Ran 1 o Ddeddf 2005 at ddibenion-

(a) adrannau 34(7)(b) a 35(2)(b) a (5)(b); a

(b) adrannau 14 i 19 o Ddeddf 1998 (ymyrryd mewn ysgolion sy'n peri pryder).

3. Pan fo'r adroddiad diweddaraf ar arolygiad o ysgol yn un a wnaed o dan y Ddeddf honno ac a nododd fod gan yr ysgol wendidau difrifol, mae'r adroddiad hwnnw i'w drin yn adroddiad ar arolygiad a nododd fod yr ysgol yn un yr oedd gofyn ei gwella'n sylweddol o dan Ran 1 o Ddeddf 2005 at ddibenion-

(a) adrannau 34(8)(b) a 35(3)(b) a (6)(b); a

(b) adrannau 14 i 19 o Ddeddf 1998.

4. Pan fo'r adroddiad diweddaraf ar arolygiad ysgol yn un a wnaed o dan Ddeddf 1996 ac a nododd fod gan yr ysgol ddosbarth chwech diffygiol, mae'r adroddiad hwnnw i'w drin yn adroddiad arolygiad a nododd fod gofyn gwella sylweddol ar ddosbarth chwech yr ysgol at ddibenion adran 113 o Ddeddf 2000 ac Atodlen 7 iddi (fel y'i diwygiwyd gan adran 46 o Ddeddf 2005 ac Atodlen 5 iddi).

5. Pan fo hysbysiad apêl yn cael ei gyflwyno i'r tribiwnlys cyn 1 Medi 2006, mae adran 27 ac Atodlen 3 i fod yn gymwys i'r apêl fel petai is-adran (2) o adran 27 yn cael ei hepgor.

6. Er i adran 27 ac Atodlen 3 iddi gael eu dwyn i rym, ac er i adran 9 o Ddeddf 1996 ac Atodlen 2 iddi gael eu diddymu, oll gan y Gorchymyn hwn ar 1 Medi 2006, mae unrhyw reoliadau a wneir gan yr Ysgrifennydd Gwladol o dan baragraff 2 o Atodlen 2 i Ddeddf 1996 sydd mewn grym ar 31 Awst 2006 ("y Rheoliadau presennol") i barhau i fod yn effeithiol o ran Cymru hyd at y dyddiad pryd y daw rheoliadau a wneir gan Gynulliad Cenedlaethol Cymru o dan baragraff 2 o Atodlen 3 ddod i rym, fel petai'r Rheoliadau presennol wedi cael eu gwneud gan y Cynulliad Cenedlaethol o dan y paragraff hwnnw o'r Atodlen honno.

SCHEDULE 4

Article 6

TRANSITIONAL AND SAVING PROVISIONS

1. Paragraphs 2 to 5 of this Schedule apply despite the bringing into force by article 3 of this Order of section 60 (Repeal of the 1996 Act).

2. Where the latest report of an inspection of a school was under the 1996 Act and identified that special measures were required to be taken in relation to the school, that report is to be treated as the report of an inspection which identified that special measures were required to be taken under Part 1 of the 2005 Act for the purposes of-

(a) sections 34(7)(b) and 35(2)(b) and (5)(b); and

(b) sections 14 to 19 of the 1998 Act (intervention in schools causing concern).

3. Where the latest report of an inspection of a school was under that Act and identified that the school had serious weaknesses, that report is to be treated as the report of an inspection which identified that the school required significant improvement under Part 1 of the 2005 Act for the purposes of-

(a) sections 34(8)(b) and 35(3)(b) and (6)(b); and

(b) sections 14 to 19 of the 1998 Act.

4. Where the latest report of an inspection of a school was under the 1996 Act and identified that the school has an inadequate sixth form, that report is to be treated as the report of an inspection which identified that the school requires significant improvement in relation to its sixth form for the purposes of section 113 of, and Schedule 7 to, the 2000 Act (as amended by section 46 of, and Schedule 5 to, the 2005 Act).

5. Where notice of appeal is served on the tribunal before 1 September 2006, section 27 and Schedule 3 are to apply to the appeal as though subsection (2) of section 27 were omitted.

6. Despite the bringing into force by this Order of section 27 and Schedule 3, and of the repeals of section 9 of, and Schedule 2 to, the 1996 Act on 1 September 2006, any regulations made by the Secretary of State under paragraph 2 of Schedule 2 to the 1996 Act in force on 31 August 2006 ("the existing Regulations") are to continue to have effect in relation to Wales until the date on which regulations made by the National Assembly for Wales under paragraph 2 of Schedule 3 come into force, as if the existing regulations had been made by the National Assembly under that paragraph of that Schedule.

OFFERYNNAU STATUDOL

2006 Rhif 1338 (Cy.130) (C.45)

ADDYSG, CYMRU

Gorchymyn Deddf Addysg 2005 (Cychwyn Rhif 1 a Darpariaethau Trosiannol) (Cymru) 2006

STATUTORY INSTRUMENTS

2006 No. 1338 (W.130) (C.45)

EDUCATION, WALES

The Education Act 2005 (Commencement No. 1 and Transitional Provisions) (Wales) Order 2006

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