



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 4 Mawrth 2014
Tabled on 4 March 2014

Bil Addysg (Cymru)
Education (Wales) Bill

Bethan Jenkins

27

Section 42, page 21, line 27, after 'appropriate', insert –

'() have regard to major religious festivals celebrated by pupils
and their families'.

New subsection to be inserted at the end of proposed section 32B(3), that section to be re-styled accordingly.

Adran 42, tudalen 21, llinell 27, ar ôl 'appropriate', mewnosoder –

'() have regard to major religious festivals celebrated by pupils
and their families'.

*Is-adran newydd i gael ei mewnosod ar ddiwedd adran arfaethedig 32B(3), a'r adran honno i gael ei hail-
lunio yn unol â hynny.*

Suzy Davies

28

Section 14, page 6, line 33, leave out 'may' at the first place where it appears and insert 'must'.

Adran 14, tudalen 6, llinell 33, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i
Weinidogion'.

Suzy Davies 29

Section 15, page 7, line 20, leave out 'may' and insert 'must'.

Adran 15, tudalen 7, llinell 22, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

Suzy Davies 30

Section 16, page 8, line 2, leave out 'may' at the first place where it appears and insert 'must'.

Adran 16, tudalen 8, llinell 2, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

Suzy Davies 31

Section 17, page 8, line 22, leave out 'may' and insert 'must'.

Adran 17, tudalen 8, llinell 22, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

Suzy Davies 32

Section 23, page 11, line 21, leave out 'may' and insert 'must'.

Adran 23, tudalen 11, llinell 23, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

Suzy Davies 33

Section 25, page 12, line 32, leave out 'may' and insert 'must'.

Adran 25, tudalen 12, llinell 32, hepgorer 'Caiff Gweinidogion' a mewnosoder 'Rhaid i Weinidogion'.

Suzy Davies 34

Section 46, page 24, after line 10, insert—

- (3) The Welsh Ministers must comply with the following requirements before making an order under this section.
- (4) The Welsh Ministers must consult such persons (if any), as appear to the Welsh Ministers to be likely to be affected by the proposals.
- (5) If, following that consultation, the Welsh Ministers wish to proceed with the proposals they must lay before the National Assembly for Wales a document which—
 - (a) explains the proposals,
 - (b) sets them out in the form of a draft order, and
 - (c) gives details of the consultation under subsection (4).
- (6) No draft of an order under this section to give effect to the proposals ("the final draft order") may be laid before the Assembly in accordance with section 47(2)(e) until after the expiry of the period of 60 days beginning with the day on which the document

relating to the proposals was laid before the National Assembly for Wales under subsection (5).

- (7) In calculating the period mentioned in subsection (6) no account shall be taken of any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (8) In preparing the final draft order the Welsh Ministers must consider any representations made during the period mentioned in subsection (6).
- (9) If the final draft order is laid before the National Assembly for Wales in accordance with section 47(2)(e), the order must be accompanied by a statement of the Welsh Ministers giving details of—
 - (a) any representations considered in accordance with subsection (8), and .
 - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (5) which are given effect to in the final draft order.’.

Adran 46, tudalen 24, ar ôl llinell 12, mewnosoder –

- ‘(3) Rhaid i Weinidogion Cymru gydymffurfio â’r gofynion canlynol cyn gwneud gorchymyn o dan yr adran hon.
- (4) Rhaid i Weinidogion Cymru ymgynghori gyda’r cyfryw bersonau (os oes rhai) sydd, ym marn Gweinidogion Cymru, yn debygol o gael eu heffeithio gan y cynigion.
- (5) Os bydd Gweinidogion Cymru, yn dilyn yr ymgynghoriad hwnnw, yn dymuno bwrw ymlaen â’r cynigion, rhaid iddynt osod gerbron y Cynulliad Cenedlaethol ddogfen sydd –
 - (a) yn esbonio’r cynigion,
 - (b) yn eu nodi ar ffurf gorchymyn drafft, ac
 - (c) yn rhoi manylion yr ymgynghoriad o dan is-adran (4).
- (6) Ni chaniateir i ddrafft o orchymyn o dan yr adran hon i roi effaith i’r cynigion (“y gorchymyn drafft terfynol”) gael ei osod gerbron y Cynulliad yn unol ag adran 47(2)(e) hyd nes y bydd y cyfnod o 60 diwrnod sy’n dechrau ar y diwrnod y caiff y ddogfen sy’n ymwneud â’r cynigion ei gosod gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (5) wedi dod i ben.
- (7) Wrth gyfrif y cyfnod a grybwyllir yn is-adran (6) ni chymerir i ystyriaeth unrhyw adeg pryd y bydd Cynulliad Cenedlaethol Cymru wedi’i ddiddymu neu pan fydd toriad o fwy na phedwar diwrnod.
- (8) Wrth baratoi’r gorchymyn drafft terfynol, rhaid i Weinidogion Cymru ystyried unrhyw sylwadau a wnaed yn ystod y cyfnod a grybwyllir yn is-adran (6).
- (9) Os caiff y gorchymyn drafft terfynol ei osod gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 47(2)(e), rhaid cyflwyno datganiad gan Weinidogion Cymru gyda’r gorchymyn yn rhoi manylion –
 - (a) unrhyw sylwadau a ystyriwyd ymlaen llaw yn unol ag is-adran (8), a

- (b) unrhyw newidiadau a wnaed i'r cynigion yn y ddogfen a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (5) y rhoddir effaith iddynt yn y gorchymyn drafft terfynol.'

Suzy Davies

35

Section 47, page 24, after line 20, insert –

'() regulations under section 10(2)(b);'.

Adran 47, tudalen 24, ar ôl llinell 24, mewnosoder –

'() rheoliadau o dan adran 10(2)(b);'.

Suzy Davies

36

Section 47, page 24, after line 22, insert –

'() the first regulations to be made under section 13;'.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

'() y rheoliadau cyntaf i gael eu gwneud o dan adran 13;'.

Suzy Davies

37

Section 47, page 24, after line 22, insert –

'() the first regulations to be made under section 14;'.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

'() y rheoliadau cyntaf i gael eu gwneud o dan adran 14;'.

Suzy Davies

38

Section 47, page 24, after line 22, insert –

'() the first regulations to be made under section 15;'.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

'() y rheoliadau cyntaf i gael eu gwneud o dan adran 15;'.

Suzy Davies 39

Section 47, page 24, after line 22, insert –

‘() the first regulations to be made under section 16;’.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

‘() y rheoliadau cyntaf i gael eu gwneud o dan adran 16;’.

Suzy Davies 40

Section 47, page 24, after line 22, insert –

‘() the first regulations to be made under section 17;’.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

‘() y rheoliadau cyntaf i gael eu gwneud o dan adran 17;’.

Suzy Davies 41

Section 47, page 24, after line 22, insert –

‘() regulations under section 19(3);’.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

‘() rheoliadau o dan adran 19(3);’.

Suzy Davies 42

Section 47, page 24, after line 22, insert –

‘() the first regulations to be made under section 23;’.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

‘() y rheoliadau cyntaf i gael eu gwneud o dan adran 23;’.

Suzy Davies 43

Section 47, page 24, after line 22, insert –

‘() the first regulations to be made under section 25;’.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

‘() y rheoliadau cyntaf i gael eu gwneud o dan adran 25;’.

Suzy Davies 44

Section 47, page 24, after line 22, insert –

‘() regulations under section 26(6);’.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

‘() rheoliadau o dan adran 26(6);’.

Suzy Davies 45

Section 47, page 24, after line 22, insert –

‘() regulations under section 28(1);’.

Adran 47, tudalen 24, ar ôl llinell 26, mewnosoder –

‘() rheoliadau o dan adran 28(1);’.

Suzy Davies 46

Section 47, page 24, line 25, leave out ‘which includes provision which adds to, amends or omits the text of an Act of Parliament or a Measure or Act of the National Assembly for Wales’.

Adran 47, tudalen 24, llinell 29, hepgorer ‘sy’n cynnwys darpariaeth sy’n ychwanegu at destun Deddf Seneddol neu Fesur neu Ddeddf Cynulliad Cenedlaethol Cymru, yn diwygio’r testun neu’n ei hepgor’.

Suzy Davies 47

Section 47, page 24, line 32, after ‘section 50’, insert ‘, unless subsection (*subsection to be inserted by amendment 48*) applies’.

Adran 47, tudalen 24, llinell 36, ar ôl ‘adran 50’, mewnosoder ‘, oni bai bod is-adran (*is-adran i gael ei mewnosod gan welliant 48*) yn gymwys’.

Suzy Davies 48

Section 47, page 24, after line 33, insert –

‘(4) An order made under section 50 that –

(a) is made under section 50(5)(b), or

(b) is made after the next ordinary general election of the National Assembly for Wales pursuant to section 3 of the Government of Wales Act 2006 (c.32),

is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.’.

Adran 47, tudalen 24, ar ôl llinell 37, mewnosoder –

- ‘(4) Mae gorchymyn a wneir o dan adran 56 sydd –
- (a) yn cael ei wneud o dan adran 56(5)(b), neu
 - (b) yn cael ei wneud ar ôl etholiad cyffredinol cyffredin nesaf Cynulliad Cenedlaethol Cymru yn unol ag adran 3 o Ddeddf Llywodraeth Cymru 2006 (p.32),
- i fod yn ddarostyngedig i gael ei ddiddymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.’.

Aled Roberts

49

Section 4, page 2, after line 23, insert –

- ‘() to undertake activities designed to promote initial training and continuing professional development in registrable professions in accordance with section [*new section Career Development*];’.

Adran 4, tudalen 2, ar ôl llinell 22, mewnosoder –

- ‘() ymgymryd â gweithgareddau a luniwyd i hybu hyfforddiant cychwynnol a datblygiad proffesiynol parhaus mewn proffesiynau cofrestradwy yn unol ag adran [*adran newydd Datblygu Gyrfa*];’.

Aled Roberts

50

To insert a new section –

‘[] Career Development

- (1) The Council must undertake activities designed to promote initial training and continuing professional development in registrable professions.
- (2) The activities that may be undertaken include, in particular –
 - (a) setting professional standards;
 - (b) accrediting training courses.
- (3) For the purposes of section 4(1)(*subsection to be inserted by amendment 49*) and this section, a reference to initial training and continuing professional development in registrable professions is a reference to the initial training and the continual professional development of persons providing services described in relation to a category of registration.’.

Section to be inserted immediately after existing Section 8.

I fewnosod adran newydd –

‘[] Datblygu Gyrfa

- (1) Rhaid i’r Cyngor ymgymryd â gweithgareddau a luniwyd i hybu hyfforddiant cychwynnol a datblygiad proffesiynol parhaus mewn proffesiynau cofrestradwy.

- (2) Mae'r gweithgareddau y caniateir eu gwneud yn cynnwys, yn benodol—
 - (a) gosod safonau proffesiynol;
 - (b) achredu cyrsiau hyfforddi.
- (3) At ddibenion adran 4(1)(*is-adran i gael ei mewnosod gan welliant 49*) a'r adran hon, mae'r cyfeiriad at hyfforddiant cychwynnol a datblygiad proffesiynol parhaus mewn proffesiynau cofrestradwy yn gyfeiriad at hyfforddiant cychwynnol a datblygiad proffesiynol parhaus personau sy'n darparu gwasanaethau a ddisgrifir mewn perthynas â chategori cofrestru.'.

Adran i'w mewnosod yn syth ar ôl yr Adran 8 bresennol.

Aled Roberts

51

Page 5, line 29, leave out section 12 and insert—

[] Registration fees

- (1) The Council may charge fees in connection with registration (including fees for restoration to, or retention in, the register).
- (2) The Welsh Ministers may, by regulation, make provision—
 - (a) requiring employers of registered persons to—
 - (i) deduct (or arrange for the deduction) from the salary of a registered person any fee payable, and
 - (ii) remit that fee to the Council;
 - (b) about the arrangements to be adopted by employers in pursuance of paragraph (a);
 - (c) about the consequences of failing to pay fees (which may include refusal to register, or removal from the register).
- (3) The Council must prepare a scheme that makes provisions about the fees which may be charged.
- (4) The scheme may, amongst other things, make provision about—
 - (a) the amount of the fees;
 - (b) exceptions and exemptions which may apply;
 - (c) administration charges which may be deducted by employers from any fees remitted to the Council.
- (5) In this section, “salary” includes any remuneration payable in respect of services provided by a registered person.
- (6) Welsh Ministers may issue guidance setting out the principles to be followed by the Council when determining the amount of fees to be charged.'.

Tudalen 5, llinell 29, hepgorer adran 12 a mewnosoder –

[] Ffioedd cofrestru

- (1) Caiff y Cyngor godi ffioedd mewn cysylltiad â chofrestru (gan gynnwys ffioedd er mwyn ailosod enw ar y gofrestr neu er mwyn cadw enw arni).
- (2) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth –
 - (a) yn ei gwneud yn ofynnol i gyflogwyr personau cofrestredig –
 - (i) didynnu (neu drefnu didyniad) o gyflog person cofrestredig unrhyw ffi sy'n daladwy, a
 - (ii) talu'r ffi honno i'r Cyngor;
 - (b) ynghylch y trefniadau sydd i'w mabwysiadu gan gyflogwyr yn unol â pharagraff (a);
 - (c) ynghylch canlyniadau methu â thalu ffioedd (a gaiff gynnwys gwrthod cofrestru neu ddileu enw o'r gofrestr).
- (3) Rhaid i'r Cyngor lunio cynllun sy'n gwneud darpariaethau am y ffioedd y caiff eu codi.
- (4) Caiff y cynllun, ymhlith pethau eraill, wneud darpariaeth –
 - (a) ynghylch swm y ffioedd;
 - (b) ynghylch unrhyw eithriadau neu esemptiadau y caniateir iddynt fod yn gymwys;
 - (c) ynghylch y taliadau gweinyddu y caiff cyflogwyr eu didynnu o unrhyw ffioedd a delir i'r Cyngor.
- (5) Yn yr adran hon, mae "cyflog" yn cynnwys unrhyw dâl sy'n daladwy mewn cysylltiad â gwasanaethau a ddarperir gan berson cofrestredig.
- (6) Caiff Gweinidogion Cymru ddyroddi canllawiau yn nodi'r egwyddorion i'w dilyn gan y Cyngor wrth benderfynu ar swm y ffioedd i'w codi.'

Aled Roberts

52

Schedule 1, page 32, line 28, after 'may', insert ', following consultation with the Council,'.

Atodlen 1, tudalen 32, llinell 31, ar ôl 'Cymru', mewnosoder ', ar ôl ymgynghori â'r Cyngor,'.

Aled Roberts

53

Schedule 1, page 32, after line 29, insert –

- '() Any grant made to the Council must be accompanied by a statement by the Welsh Ministers which sets out how the funding provided is appropriate to allow the Council to discharge its functions.'

Atodlen 1, tudalen 32, ar ôl llinell 33, mewnosoder –

- '() Gydag unrhyw grant a roddir i'r Cyngor, rhaid cael datganiad gan Weinidogion Cymru sy'n nodi sut y mae'r cyllid a ddarperir yn briodol i ganiatáu i'r Cyngor gyflawni ei swyddogaethau.'

Aled Roberts

54

Schedule 1, page 32, after line 29, insert –

‘Funding for training and promotion of careers

- [] The Welsh Ministers must lay a statement before the National Assembly at the end of each financial year setting out the level of funding available to the Council for –
- (a) continuous professional development; and
 - (b) promotion of careers
- for the following financial year.’.

Atodlen 1, tudalen 32, ar ôl llinell 33, mewnosoder –

‘Cyllid ar gyfer hyfforddiant a hybu gyrfaoedd

- [] Rhaid i Weinidogion Cymru osod datganiad gerbron y Cynulliad Cenedlaethol ar ddiwedd pob blwyddyn ariannol yn nodi lefel y cyllid sydd ar gael i’r Cyngor ar gyfer –
- (a) datblygiad proffesiynol parhaus; a
 - (b) hybu gyrfaoedd
- ar gyfer y flwyddyn ariannol ddilynol.’.

Aled Roberts

55

Schedule 1, page 34, after line 25, insert –

‘Statement on funding

- 23 No later than one month before the end of each financial year, the Council must lay a statement before the National Assembly explaining whether the funding agreed, or which the Council anticipates it will receive, for the following financial year will be adequate to discharge its functions.’.

Atodlen 1, tudalen 34, ar ôl llinell 27, mewnosoder –

‘Datganiad ynghylch cyllido

- 23 Heb fod yn hwyrach na mis cyn diwedd pob blwyddyn ariannol, rhaid i’r Cyngor osod datganiad gerbron y Cynulliad Cenedlaethol yn esbonio a yw’r cyllid y cytunwyd arno, neu’r cyllid y mae’r Cyngor yn disgwyl ei gael, ar gyfer y flwyddyn ariannol ddilynol yn ddigonol i’w ganiatáu i gyflawni ei swyddogaethau.’.

Aled Roberts

56

Schedule 2, page 35, Table 1, after line 25, column 1, insert –

,

Youth worker	
--------------	--

,

Atodlen 2, tudalen 35, Tabl 1, ar ôl llinell 28, colofn 1, mewnosoder –

,

Gweithiwr ieuentid	
--------------------	--

,

Aled Roberts

57

Schedule 2, page 35, Table 1, after line 25, column 2, insert –

,

	A person who provides educational development support to young people aged between 11 and 25 on a voluntary basis in Wales.
--	---

,

Atodlen 2, tudalen 35, Tabl 1, ar ôl llinell 28, colofn 2, mewnosoder –

,

	Person sy'n darparu cymorth datblygu addysgol i bobl ifanc rhwng 11 a 25 mlwydd oed ar sail wirfoddol yng Nghymru.
--	--

,

Simon Thomas

58

Section 4, page 2, after line 19, insert –

'() to undertake activities to contribute to improving the standards of teaching and the quality of learning in Wales;'

Adran 4, tudalen 2, ar ôl llinell 18, mewnosoder –

'() cynnal gweithgareddau i gyfrannu at wella safonau addysgu ac ansawdd dysgu yng Nghymru;'