

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 21 Medi 2017
Tabled on 21 September 2017

Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) Additional Learning Needs and Education Tribunal (Wales) Bill

Alun Davies

46

Schedule 1, page 61, line 8, leave out 'In section 36 of the Children Act 1989' and insert—

(1) The Children Act 1989 is amended as follows.

(2) In section 23E(1A) (pathway plans)—

(a) in paragraph (b), omit "Part 4 of the Education Act 1996 or";

(b) after paragraph (b), insert—

“(ba) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017;”.

(3) In section 36’.

Atodlen 1, tudalen 61, llinell 9, hepgorer 'Yn adran 36 o Ddeddf Plant 1989' a mewnosoder—

(1) Mae Deddf Plant 1989 wedi ei diwygio fel a ganlyn.

(2) Yn adran 23E(1A) (cynlluniau llwybr)—

(a) ym mharagraff (b), hepgorer "Part 4 of the Education Act 1996 or";

(b) ar ôl paragraff (b), mewnosoder—

“(ba) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017;”.

(3) Yn adran 36’.



Alun Davies

47

Schedule 1, page 61, after line 14, insert –

'Tribunals and Inquiries Act 1992 (c. 53)

[] In Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals to which the Act applies), in Part 1, in the table –

- (a) in the first column, for “Special educational” substitute “Additional learning”;
- (b) in the second column, for paragraph 40B substitute “40B The Education Tribunal for Wales”.

Atodlen 1, tudalen 61, ar ôl llinell 16, mewnosoder –

'Ddeddf Tribiwnlysoedd ac Ymchwiliadau 1992 (p. 53)

[] Yn Atodlen 1 i Ddeddf Tribiwnlysoedd ac Ymchwiliadau 1992 (tribiwnlysoedd y mae'r Ddeddf yn gymwys iddynt), yn Rhan 1, yn y tabl –

- (a) yn y golofn gyntaf, yn lle “Special educational” rhodder “Additional learning”;
- (b) yn yr ail golofn, yn lle paragraff 40B rhodder “40B The Education Tribunal for Wales”.

Alun Davies

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Schedule 1, page 63, line 1, leave out ‘an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ and insert ‘a child for whom an individual development plan is maintained in which a particular school is named’.

Atodlen 1, tudalen 63, llinell 1, hepgorer ‘an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ a mewnosoder ‘a child for whom an individual development plan is maintained in which a particular school is named’.

Alun Davies

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Schedule 1, page 63, line 9, leave out ‘which maintains an individual development plan for the child) the child’s additional learning needs’ and insert ‘) any additional learning needs the child may have’.

Atodlen 1, tudalen 63, llinell 9, hepgorer ‘which maintains an individual development plan for the child) the child’s additional learning needs’ a mewnosoder ‘) any additional learning needs the child may have’.

Alun Davies

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Schedule 1, page 63, line 16, leave out ‘an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ and insert ‘a child for whom an individual development plan is maintained in which a particular school is named’.



Atodlen 1, tudalen 63, llinell 15, hepgorer 'an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017' a mewnosoder 'a child for whom an individual development plan is maintained in which a particular school is named'.

Alun Davies

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Schedule 1, page 63, line 24, leave out 'which maintains an individual development plan for the child) the child's additional learning needs' and insert ') any additional learning needs the child may have'.

Atodlen 1, tudalen 63, llinell 23, hepgorer 'which maintains an individual development plan for the child) the child's additional learning needs' a mewnosoder ') any additional learning needs the child may have'.

Alun Davies

52

Schedule 1, page 64, line 8, leave out 'they maintain an individual development plan naming a school' and insert 'an individual development plan is maintained in which a particular school is named'.

Atodlen 1, tudalen 64, llinell 8, hepgorer 'they maintain an individual development plan naming a school' a mewnosoder 'an individual development plan is maintained in which a particular school is named'.

Alun Davies

53

Schedule 1, page 64, line 12, leave out 'a local authority maintain an individual development plan naming a school' and insert 'an individual development plan is maintained in which a particular school is named'.

Atodlen 1, tudalen 64, llinell 12, hepgorer 'a local authority maintain an individual development plan naming a school' a mewnosoder 'an individual development plan is maintained in which a particular school is named'.

Alun Davies

54

Schedule 1, page 64, line 18, leave out 'a local authority do not maintain an individual development plan naming a school, and

- (b) the local authority begins to maintain an individual development plan naming a school'

and insert 'no individual development plan is maintained in which a particular school is named, and

- (b) an individual development plan in which a particular school is named begins to be maintained'

Atodlen 1, tudalen 64, llinell 18, hepgorer 'a local authority do not maintain an individual development plan naming a school, and

- (b) the local authority begins to maintain an individual development plan naming a school'

a mewnosoder 'no individual development plan is maintained in which a particular school is named, and



- (b) an individual development plan in which a particular school is named begins to be maintained'

Alun Davies

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Schedule 1, page 64, line 23, leave out '(4) For the purposes of this section, "an individual development plan naming a school" is a plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017.'

Atodlen 1, tudalen 64, llinell 23, hepgorer '(4) For the purposes of this section, "an individual development plan naming a school" is a plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017.'

Alun Davies

56

Schedule 1, page 64, line 28, leave out ', in subsection (5) –

- (a) in the opening words, for "a statement under section 324" substitute "an individual development plan";
- (b) in paragraph (a), for "or the statement" substitute ", or is named in the individual development plan for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017";
- (c) in paragraph (b), for "the plan or the statement" substitute "the EHC plan or the individual development plan".'

and insert ' –

- (a) in subsection (5) –
- (i) in the opening words, omit "or a statement under section 324 (in the case of a local authority in Wales)";
- (ii) in paragraph (a), omit "or the statement";
- (iii) in paragraph (b), omit "or the statement";
- (b) after subsection (5) insert –
- "(6) Where, in the case of a local authority in Wales, the child in question is one for whom an individual development plan is maintained by the authority or by another local authority –
- (a) subsections (2) to (4) do not apply if a school or other institution is named in the individual development plan, and
- (b) in any other case a direction under subsection (4) may require the authority maintaining the individual development plan to make such amendments to the plan as is considered necessary or expedient in consequence of the determination.""



Atodlen 1, tudalen 64, llinell 28, hepgorer ', yn is-adran (5) –

- (a) yn y geiriau agoriadol, yn lle “a statement under section 324” rhodder “an individual development plan”;
- (b) ym mharagraff (a), yn lle “or the statement” rhodder “, or is named in the individual development plan for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;
- (c) ym mharagraff (b), yn lle “the plan or the statement” rhodder “the EHC plan or the individual development plan”.

a mewnosoder ' –

- (a) yn is-adran (5) –
 - (i) yn y geiriau agoriadol, hepgorer “or a statement under section 324 (in the case of a local authority in Wales)”;
 - (ii) ym mharagraff (a), hepgorer “or the statement”;
 - (iii) ym mharagraff (b), hepgorer “or the statement”;
- (b) ar ôl is-adran (5) mewnosoder –

“(6) Where, in the case of a local authority in Wales, the child in question is one for whom an individual development plan is maintained by the authority or by another local authority –

- (a) subsections (2) to (4) do not apply if a school or other institution is named in the individual development plan, and
- (b) in any other case a direction under subsection (4) may require the authority maintaining the individual development plan to make such amendments to the plan as is considered necessary or expedient in consequence of the determination.”.

Alun Davies

57

Schedule 1, page 67, after line 6, column 1, insert –

,

“the appropriate national authority (in Chapter 2 of Part 4	
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,

Atodlen 1, tudalen 67, ar ôl llinell 6, colofn 1, mewnosoder –

,

“the appropriate national authority (in Chapter 2 of Part 4	
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,



Alun Davies 58

Schedule 1, page 67, after line 6, column 2, insert –

	section 337A”;
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Atodlen 1, tudalen 67, ar ôl llinell 6, colofn 2, mewnosoder –

	section 337A”;
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Alun Davies 59

Schedule 1, page 67, line 32, leave out ‘and 84’ and insert ‘, 84 and 186’.

Atodlen 1, tudalen 67, llinell 34, hepgorer ‘a 84’ a mewnosoder ‘, 84 a 186’.

Alun Davies 60

Schedule 1, page 68, line 6, leave out ‘and 6’ and insert –
‘, 6, 15, 17 (and the cross-heading that precedes it) and 18;

- () in Schedule 18, in paragraph 13, for “Special Educational Needs Tribunal for Wales under section 333(2) of the Education Act 1996 (c 56)” substitute “Education Tribunal for Wales under section 79(5) of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.

Atodlen 1, tudalen 68, llinell 7, hepgorer ‘a 6’ a mewnosoder –
‘, 6, 15, 17 (a’r croesbennawd sy’n ei ragflaenu) a 18;

- () yn Atodlen 18, ym mharagraff 13, yn lle “Special Educational Needs Tribunal for Wales under section 333(2) of the Education Act 1996 (c 56)” rhodder “Education Tribunal for Wales under section 79(5) of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.

Alun Davies 61

Schedule 1, page 68, line 8, after ‘44’, insert ‘and 58’.

Atodlen 1, tudalen 68, llinell 9, ar ôl ‘44’, mewnosoder ‘a 58’.

Alun Davies 62

Schedule 1, page 68, after line 19, insert –

- () in the Education and Inspections Act 2006 (c. 40) –
 - (i) omit section 173 (special educational needs co-ordinators);
 - (ii) omit section 174 (time limits relating to statements of special educational needs);

Atodlen 1, tudalen 68, ar ôl llinell 21, mewnosoder –

- () yn Neddf Addysg ac Arolygiadau 2006 (p. 40) –



- (i) hepgorer adran 173 (cydlynwyr anghenion addysgol arbennig);
- (ii) hepgorer adran 174 (terfynau amser sy'n ymwneud â datganiadau anghenion addysgol arbennig);

Alun Davies

63

Schedule 1, page 68, line 24, leave out 'omit subsections (2) and' and insert 'in subsection (2) omit paragraphs (a) and (b), and omit subsection'.

Atodlen 1, tudalen 68, llinell 26, hepgorer 'hepgorer is-adrannau (2) a' a mewnosoder 'yn is-adran (2) hepgorer paragraffau (a) a (b), a hepgorer is-adran'.

Alun Davies

64

Schedule 1, page 68, after line 25, insert –

'(iii) in Schedule 1 (amendments), in paragraph 11, omit the following entry –

"the appropriate national authority (in Chapter 2 of Part 4)	section 337A";
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'.

Atodlen 1, tudalen 68, ar ôl llinell 27, mewnosoder –

'(iii) yn Atodlen 1 (diwygiadau), ym mharagraff 11, hepgorer y cofnod a ganlyn –

"the appropriate national authority (in Chapter 2 of Part 4)	section 337A";
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Alun Davies

65

Schedule 1, page 68, after line 36, insert –

'() in Schedule 13 to the Education Act 2011 (consequential amendments), in paragraph 9, omit sub-paragraphs (4) and (5);'

Atodlen 1, tudalen 68, ar ôl llinell 38, mewnosoder –

'() yn Atodlen 13 i Ddeddf Addysg 2011 (diwygiadau canlyniadol), ym mharagraff 9, hepgorer is-baragraffau (4) a (5);'

Alun Davies

66

Schedule 1, page 69, line 8, leave out paragraph 5 and insert –

- '5 (1) The School Standards and Framework Act 1998 is amended as follows.
- (2) In section 96(7) (direction to admit child to specified school), for "to any special educational needs" substitute "(in the case of a local authority in England) to any special educational needs or (in the case of a local authority in Wales) to any additional learning needs".



- (3) In section 98(7) (admission for nursery education or to nursery or special school: children with statements of special educational needs or EHC plans), for “statements of special educational needs are maintained under section 324 of the Education Act 1996” substitute “individual development plans are maintained under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 in respect of which section 42 of that Act applies (duty to admit children to maintained schools)”.
- (4) In section 123 (nursery education - children with special educational needs) –
 - (a) in subsection (1)(a), after “authority” insert “in England”;
 - (b) in the words after subsection (1)(b), omit “or section 313(2) of the Education Act (in the case of education in Wales)”;
 - (c) in subsection (2), omit “or (as the case may be) Part IV of the Education Act 1996”;
 - (d) in subsection (3)(a), omit “or (as the case may be) Part IV of the Education Act”;
 - (e) in subsection (3A)(b), omit “or statement under section 324 of the Education Act”;
 - (f) in subsection (4), omit paragraph (b).’.

Atodlen 1, tudalen 69, llinell 9, hepgorer paragraff 5 a mewnosoder –

- ‘5
- (1) Mae Deddf Safonau a Fframwaith Ysgolion 1998 wedi ei diwygio fel a ganlyn.
 - (2) Yn adran 96(7) (cyfarwyddyd i dderbyn plentyn i ysgol benodedig), yn lle “to any special educational needs” rhodder “(in the case of a local authority in England) to any special educational needs or (in the case of a local authority in Wales) to any additional learning needs”.
 - (3) Yn adran 98(7) (derbyn ar gyfer addysg feithrin neu i ysgol feithrin neu arbennig: plant â datganiadau anghenion addysgol arbennig neu gynlluniau AIG), yn lle “statements of special educational needs are maintained under section 324 of the Education Act 1996” rhodder “individual development plans are maintained under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 in respect of which section 42 of that Act applies (duty to admit children to maintained schools)”.
 - (4) Yn adran 123 (addysg feithrin - plant ag anghenion addysgol arbennig) –
 - (a) yn is-adran (1)(a), ar ôl “authority” mewnosoder “in England”;
 - (b) yn y geiriau ar ôl is-adran (1)(b), hepgorer “or section 313(2) of the Education Act (in the case of education in Wales)”;
 - (c) yn is-adran (2), hepgorer “or (as the case may be) Part IV of the Education Act 1996”;
 - (d) yn is-adran (3)(a), hepgorer “or (as the case may be) Part IV of the Education Act”;
 - (e) yn is-adran (3A)(b), hepgorer “or statement under section 324 of the Education Act”;
 - (f) yn is-adran (4), hepgorer paragraff (b).’.



Alun Davies

67

Schedule 1, page 69, after line 29, insert –

'Education Act 2002 (c. 32)

[] Omit section 174 (consent to placement).'

Atodlen 1, tudalen 69, ar ôl llinell 31, mewnosoder –

'Deddf Addysg 2002 (p. 32)

[] Hepgorer adran 174 (cydsyniad i leoliad).'

Alun Davies

68

Schedule 1, page 70, after line 3, insert –

'National Health Service Act 2006 (c. 41)

[] In Schedule 1 to the National Health Service Act 2006 (further provision about the Secretary of State and services), in paragraph 2(1)(b) –

(a) omit “or 319”;

(b) after “the Education Act 1996 (c. 56)” insert “or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.

Atodlen 1, tudalen 70, ar ôl llinell 3, mewnosoder –

'Deddf y Gwasanaeth Iechyd Gwladol 2006 (p. 41)

[] Yn Atodlen 1 i Ddeddf y Gwasanaeth Iechyd Gwladol 2006 (darpariaeth bellach ynghylch yr Ysgrifennydd Gwladol a gwasanaethau), ym mharagraff 2(1)(b) –

(a) hepgorer “or 319”;

(b) ar ôl “the Education Act 1996 (c. 56)” mewnosoder “or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.

Alun Davies

69

Schedule 1, page 70, line 8, leave out ‘or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ and insert ‘section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 or section 61 of the Children and Families Act 2014 (c. 6)’.

Atodlen 1, tudalen 70, llinell 8, hepgorer ‘or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ a mewnosoder ‘section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 or section 61 of the Children and Families Act 2014 (c. 6)’.



Alun Davies

70

Schedule 1, page 70, after line 9, insert –

'Learner Travel (Wales) Measure 2008 (nawm 2)

- [] (1) The Learner Travel (Wales) Measure 2008 is amended as follows.
- (2) In section 1 (main terms used in the Measure), in subsection (4) –
- (a) in paragraph (c), for “statements maintained under section 324 of the Education Act 1996 (c.56)” substitute “individual development plans maintained under section 12 or 17 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;
- (b) for paragraph (h) substitute –
- “(h) independent special post-16 institutions within the meaning given by section 50 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 which are named in individual development plans maintained under section 12 or 17 of that Act”.
- (3) In section 3 (local authority duty to make transport arrangements), in the table –
- (a) in the first column –
- (i) for “named in a statement maintained for the child under section 324 of the Education Act 1996” the first and second time it appears substitute “or other institution named in an individual development plan maintained for the child under section 12 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;
- (ii) for “named in a statement maintained for the child under section 324 of the Education Act 1996” the third and fourth time it appears substitute “or other institution named in an individual development plan maintained for the child under section 17 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;
- (b) in the second column for “named in a statement maintained for the child under section 324 of the Education Act 1996” the first and second time it appears substitute “or other institution named in an individual development plan maintained for the child under section 12 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.
- (4) In section 14 (enforcement of travel behaviour code: withdrawal of travel arrangements), in subsection (11), in paragraph (b)(ii) for “special educational needs” substitute “learning difficulty”.

Education and Skills Act 2008 (c.25)

- [] (1) The Education and Skills Act 2008 is amended as follows.
- (2) Omit section 143(3) (religious education and worship in non-maintained special schools).



- (3) Omit section 146 (abolition of requirement of approval for independent schools: England).
- (4) Omit section 148 (approval of independent schools: transitional provision).
- (5) In Schedule 1 (minor and consequential amendments), omit paragraphs 75 (and the heading that precedes it) and 77.

Learning and Skills (Wales) Measure 2009 (nawm 2)

- [] In the Schedule to the Learning and Skills (Wales) Measure 2009 (minor and consequential amendments), omit paragraph 10.'

Atodlen 1, tudalen 70, ar ôl llinell 9, mewnosoder –

'Mesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2)

- [] (1) Mae Mesur Teithio gan Ddysgwyr (Cymru) 2008 wedi ei ddiwygio fel a ganlyn.
- (2) Yn adran 1 (y prif dermau a ddefnyddir yn y Mesur), yn is-adran (4) –
- (a) ym mharagraff (c), yn lle “datganiadau a gedwir o dan adran 324 o Ddeddf Addysg 1996 (p.56)” rhodder “cynlluniau datblygu unigol a gynhelir o dan adran 12 neu 17 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017”;
 - (b) yn lle paragraff (h) rhodder –
“(h) sefydliadau ôl-16 arbennig annibynnol o fewn yr ystyr a roddir gan adran 50 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017 a enwir mewn cynlluniau datblygu unigol a gynhelir o dan adran 12 neu 17 o'r Ddeddf honno;”.
- (3) Yn adran 3 (dyletswydd awdurdod lleol i wneud trefniadau cludo), yn y tabl –
- (a) yn y golofn gyntaf –
 - (i) yn lle “a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996” y tro cyntaf a'r ail dro y mae'n ymddangos rhodder “neu sefydliad arall a enwir mewn cynllun datblygu unigol a gynhelir ar gyfer y plentyn o dan adran 12 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017”;
 - (ii) yn lle “a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996” y trydydd tro a'r pedwerydd tro y mae'n ymddangos rhodder “neu sefydliad arall a enwir mewn cynllun datblygu unigol a gynhelir ar gyfer y plentyn o dan adran 17 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017”;



- (b) yn yr ail golofn yn lle "a enwir mewn datganiad a gedwir mewn cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996" y tro cyntaf a'r ail dro y mae'n ymddangos rhodder "neu sefydliad arall a enwir mewn cynllun datblygu unigol a gynhelir ar gyfer y plentyn o dan adran 12 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017".
- (4) Yn adran 14 (gorfodi cod ymddygiad wrth deithio: tynnu'n ôl drefniadau teithio), yn is-adran (11), ym mharagraff (b)(ii) yn lle "anghenion addysgol arbennig" rhodder "anhawster dysgu".

Deddf Addysg a Sgiliau 2008 (p. 25)

- [] (1) Mae Deddf Addysg a Sgiliau 2008 wedi ei diwygio fel a ganlyn.
- (2) Hepgorer adran 143(3) (addysg grefyddol ac addoliad crefyddol mewn ysgolion arbennig nas cynhelir).
- (3) Hepgorer adran 146 (diddymu'r gofyniad i gymeradwyo ysgolion annibynnol: Lloegr).
- (4) Hepgorer adran 148 (cymeradwyo ysgolion annibynnol: darpariaeth drosiannol).
- (5) Yn Atodlen 1 (mân ddiwygiadau a diwygiadau canlyniadol), hepgorer paragraffau 75 (a'r pennawd sy'n ei ragflaenu) a 77.

Mesur Dysgu a Sgiliau (Cymru) 2009 (mccc 2)

- [] Yn yr Atodlen i Fesur Dysgu a Sgiliau (Cymru) 2009 (mân ddiwygiadau a diwygiadau canlyniadol), hepgorer paragraff 10.'

Alun Davies

71

Schedule 1, page 70, line 18, leave out paragraph 10 and insert –

- 10 (1) The Education (Wales) Measure 2009 is amended as follows.
- (2) Omit sections 17 to 19 (piloting of provisions about appeals and claims by a child).
- (3) In section 24 (orders and regulations) –
- (a) omit subsection (3);
- (b) in subsection (4) omit "18 or".
- (4) Omit section 25 (orders under section 18: procedure).'

Atodlen 1, tudalen 70, llinell 18, hepgorer paragraff 10 a mewnosoder –

- 10 (1) Mae Mesur Addysg (Cymru) 2009 wedi ei ddiwygio fel a ganlyn.
- (2) Hepgorer adrannau 17 i 19 (treialu darpariaethau ynghylch apelau a hawliadau gan blentyn).
- (3) Yn adran 24 (gorchmynion a rheoliadau) –
- (a) hepgorer is-adran (3);
- (b) yn is-adran (4) hepgorer "18 neu".
- (4) Hepgorer adran 25 (gorchmynion o dan adran 18: y weithdrefn).'



Alun Davies

72

Schedule 1, page 70, line 29, leave out '6E' and insert '6F'.

Atodlen 1, tudalen 70, llinell 29, hepgorer '6E' a mewnosoder '6F'.

Alun Davies

73

Schedule 1, page 73, after line 32, insert –

'Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

[] (1) The Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.

(2) In Schedule 1 (civil legal services) –

(a) in Part 1, in paragraph 2 –

(i) in sub-paragraph (1)(a), for "Part 4 of the Education Act 1996" substitute "Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017";

(ii) omit sub-paragraph (1)(b);

(b) in Part 3, in paragraph 17 –

(i) for "Special Educational Needs" substitute "Education";

(ii) for sub-paragraph (a) substitute –

"(a) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017,".

School Standards and Organisation (Wales) Act 2013 (anaw 1)

[] (1) The School Standards and Organisation (Wales) Act 2013 is amended as follows.

(2) In section 1(10) (overview) for "special educational" substitute "additional learning".

(3) In Part 3, in Chapter 4 (regional provision for special educational needs) –

(a) in the chapter title, for "SPECIAL EDUCATIONAL" substitute "ADDITIONAL LEARNING";

(b) in section 64 (meaning of "regional provision" and "special education functions") –

(i) in the section heading, for "special education" substitute "additional learning needs";

(ii) for the definition of "special education functions" substitute –

"additional learning needs functions" (*"swyddogaethau anghenion dysgu ychwanegol"*) means functions under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017.";

(c) in section 65(1) (direction to consider making regional provision) –

(i) for "special education functions" substitute "additional learning needs functions";

(ii) for "special educational needs" substitute "additional learning needs".



- (d) in section 66(1) (directions to make proposals to secure regional provision), for “special education” substitute “additional learning needs”.
- (4) In section 74(5) (form of implementation), in paragraph (d) for “a statement of special educational needs under Part 4 of the Education Act 1996” substitute “an individual development plan under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.
- (5) In section 98(3) (general interpretation and index of defined expressions), for “special education functions” (“*swyddogaethau addysg arbennig*”) substitute “additional learning needs functions” (“*swyddogaethau anghenion dysgu ychwanegol*”).
- (6) In Schedule 2 (regulated alterations) –
- (a) in paragraph 15 –
- (i) in the heading, for “Special educational” substitute “Additional learning”;
- (ii) in sub-paragraph (1), for “special educational” substitute “additional learning”;
- (iii) in sub-paragraph (2), for “special educational” substitute “additional learning”;
- (b) in paragraph 21 –
- (i) in the heading, for “Special educational” substitute “Additional learning”;
- (ii) for “special educational” substitute “additional learning”;
- (c) in paragraph 23(3), in paragraph (a), for “assessed under section 323 of the Education Act 1996 and pupils with statements of special educational needs maintained under section 324 of that Act” substitute “determined under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 and pupils with individual development plans maintained under that Act”;
- (d) in paragraph 24 –
- (i) in the heading, for “Special educational” substitute “Additional learning”;
- (ii) in sub-paragraph (1), for “special educational” substitute “additional learning”;
- (iii) in sub-paragraph (2), for “special educational” substitute “additional learning”.

Atodlen 1, tudalen 73, ar ôl llinell 32, mewnosoder –

‘Deddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyr 2012 (p. 10)

- [] (1) Mae Deddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyr 2012 wedi ei diwygio fel a ganlyn.
- (2) Yn Atodlen 1 (gwasanaethau cyfreithiol sifil) –
- (a) yn Rhan 1, ym mharagraff 2 –
- (i) yn is-baragraff (1)(a), yn lle “Part 4 of the Education Act 1996” rhodder “Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;



- (ii) hepgorer is-baragraff (1)(b);
- (b) yn Rhan 3, ym mharagraff 17 –
 - (i) yn lle “Special Educational Needs” rhodder “Education”;
 - (ii) yn lle is-baragraff (a) rhodder –
 - “(a) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017;”.

Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (dccc 1)

- [] (1) Mae Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 1(10) (trosolwg) yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”.
 - (3) Yn Rhan 3, ym Mhennod 4 (darpariaeth ranbarthol ar gyfer anghenion addysgol arbennig) –
 - (a) yn enw’r bennod, yn lle “ADDYSGOL ARBENNIG” rhodder “DYSGU YCHWANEGOL”;
 - (b) yn adran 64 (ystyr “darpariaeth ranbarthol” a “swyddogaethau addysg arbennig”) –
 - (i) ym mhennawd yr adran, yn lle “addysg arbennig” rhodder “anghenion dysgu ychwanegol”;
 - (ii) yn lle’r diffiniad o “swyddogaethau addysg arbennig” rhodder –
 - “ystyr “swyddogaethau anghenion dysgu ychwanegol” (“*additional learning needs functions*”) yw swyddogaethau o dan Ran 2 o Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017.”;
 - (c) yn adran 65(1) (cyfarwyddyd i ystyried gwneud darpariaeth ranbarthol) –
 - (i) yn lle “swyddogaethau addysg arbennig” rhodder “swyddogaethau anghenion dysgu ychwanegol”;
 - (ii) yn lle “anghenion addysgol arbennig” rhodder “anghenion dysgu ychwanegol”.
 - (d) yn adran 66(1) (cyfarwyddiadau i wneud cynigion i sicrhau darpariaeth ranbarthol), yn lle “addysg arbennig” rhodder “anghenion dysgu ychwanegol”.
 - (4) Yn adran 74(5) (y ffurf weithredu), ym mharagraff (d) yn lle “datganiad o anghenion addysgol arbennig o dan Ran 4 o Ddeddf Addysg 1996” rhodder “cynllun datblygu unigol o dan Ran 2 o Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017”.
 - (5) Yn adran 98(3) (dehongli’n gyffredinol a mynegai o ymadroddion sydd wedi eu diffinio), yn lle ““swyddogaethau addysg arbennig” (“*special education functions*”)” rhodder ““swyddogaethau anghenion dysgu ychwanegol” (“*additional learning needs functions*”)”.
 - (6) Yn Atodlen 2 (newidiadau rheoleiddiedig) –
 - (a) ym mharagraff 15 –



- (i) yn y pennawd, yn lle "addysgol arbennig" rhodder "dysgu ychwanegol";
 - (ii) yn is-baragraff (1), yn lle "addysgol arbennig" rhodder "dysgu ychwanegol";
 - (iii) yn is-baragraff (2), yn lle "addysgol arbennig" rhodder "dysgu ychwanegol";
- (b) ym mharagraff 21 –
- (i) yn y pennawd, yn lle "addysgol arbennig" rhodder "dysgu ychwanegol";
 - (ii) yn lle "addysgol arbennig" rhodder "dysgu ychwanegol";
- (c) ym mharagraff 23(3), ym mharagraff (a), yn lle "hasesu o dan adran 323 o Ddeddf Addysg 1996 a disgyblion sydd â datganiadau anghenion addysgol arbennig a gedwir o dan adran 324 o'r Ddeddf honno" rhodder "penderfynu o dan Ran 2 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017 a disgyblion â chynlluniau datblygu unigol a gynhelir o dan y Ddeddf honno";
- (d) ym mharagraff 24 –
- (i) yn y pennawd, yn lle "addysgol arbennig" rhodder "dysgu ychwanegol";
 - (ii) yn is-baragraff (1), yn lle "addysgol arbennig" rhodder "dysgu ychwanegol";
 - (iii) yn is-baragraff (2), yn lle "addysgol arbennig" rhodder "dysgu ychwanegol".

Alun Davies

74

Schedule 1, page 74, after line 7, insert –

'(6) In Schedule 3 (consequential amendments), omit paragraph 73.'

Atodlen 1, tudalen 74, ar ôl llinell 7, mewnosoder –

'(6) Yn Atodlen 3 (diwygiadau canlyniadol), hepgorer paragraff 73.'

Alun Davies

75

Schedule 1, page 74, after line 18, insert –

'() insert the following entry at the appropriate place –

<p>"Children and Families Act 2014</p> <p>The duty to comply with a request under section 31, but only in respect of requests to exercise social services functions.</p>	<p>Duty to comply with a request for co-operation by a local authority in England for the purpose of exercise of functions under Part 3 of the Children and Families Act 2014."</p>
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Atodlen 1, tudalen 74, ar ôl llinell 19, mewnosoder –

'() mewnosoder y cofnod a ganlyn yn y lle priodol –

“Deddf Plant a Theuluoedd 2014 Y ddyletswydd i gydymffurfio â chais o dan adran 31, ond dim ond mewn cysylltiad â cheisiadau i arfer swyddogaethau gwasanaethau cymdeithasol.	Dyletswydd i gydymffurfio â chais i gydweithredu gan awdurdod lleol yn Lloegr at ddiben arfer swyddogaethau o dan Ran 3 o Ddeddf Plant a Theuluoedd 2014.”
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