Cynulliad Cenedlaethol Cymru
National Assembly for Wales

RHESTR O WELLIANNAU WEDI'U GOSOD MEWN TREFN
MARSHALLED LIST OF AMENDMENTS

Mesur Arfaethedig ynghylch Teithio gan Ddysgwyr (Cymru)
Proposed Learner Travel (Wales) Measure

Mae'r gwelliannau â * ar eu bwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Caiff y Mesur ei ystyried yn y drefn a ganlyn—
The Measure will be considered in the following order—

Sections 1-25	Adrannau 1-25
Schedule 1	Atodlen 1
Section 26	Adran 26
Schedule 2	Atodlen 2
Sections 27 – 29	Adrannau 27 -29
Long Title	Teitl Hir

Kirsty Williams **7**
Supported by/Gyda chefnogaeth:Alun Cairns

Section 1, page 4, after line 9, insert—

'( ) by any other person who is in receipt of financial assistance from the Welsh Ministers for the purpose of providing that education or to enable that person to meet costs ancillary to that purpose and irrespective of whether that financial assistance is provided to that person directly by the Welsh Ministers or by another person (other than a local authority) by funds provided to that other person by the Welsh Ministers.'.

Adran 1, tudalen 4, ar ôl llinell 8, ychwanegwch—

'( ) gan unrhyw berson arall sy'n cael cymorth ariannol oddi wrth Weinidogion Cymru er mwyn darparu'r addysg honno neu i alluogi'r person hwnnw i dalu costau sy'n atodol i'r diben hwnnw ac ni waeth a yw'r cymorth ariannol

hwnnw'n cael ei ddarparu i'r person hwnnw yn uniongyrchol gan Weinidogion Cymru ynteu gan berson arall (heblaw awdurdod lleol) drwy gyllid a ddarparwyd i'r person arall hwnnw gan Weinidogion Cymru.'.

Kirsty Williams **8**
Supported by/Gyda chefnogaeth:Alun Cairns

Section 2, page 4, after line 31, insert—

'( ) the needs of learners whose parents wish, or in the case of learners who are adults, who themselves wish, that the education is provided by a school of a religious character,'.

Adran 2, tudalen 4, ar ôl llinell 30, ychwanegwch—

'( ) anghenion dysgwyr y mae eu rhieni'n dymuno, neu yn achos dysgwyr sy'n oedolion, sydd eu hunain yn dymuno, i'r addysg honno gael ei darparu gan ysgol sy'n grefyddol o ran ei chymeriad l.'.

Alun Cairns **18**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 2, page 4, after line 31, insert—

'( ) the needs of learners whose parents wish, or in the case of learners who are adults, who themselves wish, that teaching to be delivered primarily through the medium of the Welsh language or, alternatively, of the English language;'.

Adran 2, tudalen 4, ar ôl llinell 30, ychwanegwch—

'( ) anghenion dysgwyr y mae eu rhieni'n dymuno, neu yn achos dysgwyr sy'n oedolion, sydd eu hunain yn dymuno i'r addysgu hwn gael ei gyflwyno yn bennaf drwy gyfrwng y Gymraeg neu, fel arall, drwy gyfrwng y Saesneg;'.

Alun Cairns **22**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 3, page 7, leave out line 25 and insert—

'( ) in the case of a child receiving nursery or primary education, they involve a journey to school which normally takes more than 45 minutes,

( ) in the case of a child receiving secondary education, they involve a journey to school which normally takes more than 60 minutes, or'.

Adran 3, tudalen 7, gadewch allan linell 29 ac ychwanegwch—

'( ) os ydynt, yn achos plentyn sy'n cael addysg feithrin neu gynradd, yn cynnwys siwrnai i'r ysgol sydd fel rheol yn cymryd mwy na 45 munud,

( ) os ydynt, yn achos plentyn sy'n cael addysg uwchradd, yn cynnwys siwrnai i'r ysgol sydd fel rheol yn cymryd mwy na 60 munud, neu'.

Kirsty Williams **9**
Supported by/Gyda chefnogaeth:Alun Cairns

Section 3, page 7, after line 30, insert—

'( ) For the purposes of each paragraph (b) in the second column of the table in this section, the school or unit is not suitable for the child if the parents of the child wish that the education of the child should be provided at a school or unit of a religious character and the school or unit in question is not of such character.'.

Adran 3, tudalen 7, ar ôl llinell 34, ychwanegwch—

'( ) At ddibenion pob paragraff (b) yn ail golofn y tabl yn yr adran hon, nid yw'r ysgol neu'r uned yn addas i'r plentyn os yw rhieni'r plentyn yn dymuno i addysg y plentyn gael ei darparu mewn ysgol neu uned sy'n grefyddol o ran ei chymeriad ac nad yw'r ysgol neu'r uned o dan sylw o'r cymeriad hwnnw.'.

Alun Cairns **19**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 3, page 7, after line 30, insert—

'( ) For the purposes of each paragraph (b) in the second column of the table in this section, the school or unit is not suitable for the child if the parents of the child wish that the teaching or training should be delivered to the child primarily through the medium of the Welsh language or, alternatively, of the English language, and the teaching or training provided there are not primarily provided through the medium of that language.'.

Adran 3, tudalen 7, ar ôl llinell 34, ychwanegwch—

'( ) At ddibenion pob paragraff (b) yn ail golofn y tabl yn yr adran hon, nid yw'r ysgol neu'r uned yn addas i'r plentyn os yw rhieni'r plentyn yn dymuno i'r addysgu neu'r hyfforddi gael ei gyflwyno i'r plentyn yn bennaf drwy gyfrwng y Gymraeg neu, fel arall, drwy gyfrwng y Saesneg, ac nad yw'r addysgu neu'r hyfforddi a ddarperir yno yn cael ei gyflawni'n bennaf drwy gyfrwng yr iaith honno.'.

Kirsty Williams **15**
Supported by/Gyda chefnogaeth:Alun Cairns

Section 3, page 7, line 32, after 'route', insert 'and "nearer to the place where the child is ordinarily resident" means nearer using the transport arrangements made by the local authority.'.

Adran 3, tudalen 7, llinell 36, ar ôl 'gael', ychwanegwch 'ac ystyr "nes at y man lle y mae'r plentyn yn preswylio fel arfer" yw nes drwy ddefnyddio'r trefniadau teithio a wnaed gan yr awdurdod lleol.'.

Kirsty Williams **10**

Section 3, page 7, at the beginning of line 35, insert 'along a footway or a footpath'.

Adran 3, tudalen 7, llinell 39, ar ôl 'ffordd', ychwanegwch 'ar hyd troedffordd neu lwybr troed'.

Alun Cairns **20**

Section 3, page 7, at the beginning of line 35, insert 'along a footway that is lit during the hours of darkness'.

Adran 3, tudalen 7, llinell 39, ar ôl 'ffordd' ychwanegwch 'ar hyd troedffordd sydd wedi'i goleuo yn ystod oriau'r tywyllwch'.

Alun Cairns **40**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 3, page 7, after line 37, insert—

'( ) Local authorities must carry out risk assessments, during the times when journeys to and from the relevant school, unit or institution would be undertaken, for the purposes of determining whether transport arrangements are safe for the purposes of section 3(5)(c) and whether routes are safe for the purposes of section 3(8).'.

Adran 3, tudalen 7, ar ôl llinell 41, ychwanegwch—

'( ) Rhaid i'r awdurdodau lleol gynnal asesiadau risg, yn ystod yr adegau y byddai siwrneiau yn ôl ac ymlaen o'r ysgol, yr uned neu'r sefydliad perthnasol yn digwydd, er mwyn penderfynu a yw'r trefniadau teithio'n ddiogel at ddibenion adran 3(5)(c) ac a yw'r llwybrau'n ddiogel at ddibenion adran 3(8).'.

Alun Cairns **23**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 4, page 8, line 29, leave out 'they take an unreasonable amount of time, or' and insert—

'( ) in the case of a child receiving nursery or primary education, they involve a journey to school which normally takes more than 45 minutes,

( ) in the case of a child receiving secondary education, they involve a journey to school which normally takes more than 60 minutes, or'.

Adran 4, tudalen 8, llinell 30, gadewch allan 'os ydynt yn cymryd amser afresymol o hir, neu' ac ychwanegwch-

'( ) os ydynt, yn achos plentyn sy'n cael addysg feithrin neu gynradd, yn cynnwys siwrnai i'r ysgol sydd fel rheol yn cymryd mwy na 45 munud,

( ) os ydynt, yn achos plentyn sy'n cael addysg uwchradd, yn cynnwys siwrnai i'r ysgol sydd fel rheol yn cymryd mwy na 60 munud, neu'.

Alun Cairns **24**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 5, page 9, at the beginning of line 8, insert 'Subject to subsection (2),'.

Adran 5, tudalen 9, ar ddechrau llinell 7, ychwanegwch 'Yn ddarostyngedig i is-adran (2),'.

Alun Cairns **25**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 5, page 9, after line 13, insert—

'(2) Subsection (1) does not apply in relation to learners with special educational needs.'.

Adran 5, tudalen 9, ar ôl llinell 12, ychwanegwch—

'(2) Nid yw is-adran (1) yn gymwys mewn perthynas â dysgwyr sydd ag anghenion addysgol arbennig.'.

Alun Cairns **39**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 7, page 9, line 35, leave out 'may' and insert 'must'.

Adran 7, tudalen 9, llinell 35, gadewch allan 'Caiff rheoliadau' ac ychwanegwch 'Rhaid i reoliadau'.

Alun Cairns **26**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 7, page 9, after line 36, insert-

( ) Welsh Ministers must make Regulations making provision about travel arrangements for learners with special educational needs to and from the places where they receive education or training.'.

Adran 7, tudalen 9, ar ôl llinell 36, ychwanegwch-

( ) Rhaid i Weinidogion Cymru wneud Rheoliadau sy'n gwneud darpariaeth ynghylch trefniadau teithio i ddysgwyr ag anghenion addysgol arbennig yn ôl ac ymlaen i'r mannau lle y maent yn cael addysg neu hyfforddiant.'.

Alun Cairns **32**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 10, page 11, line 29, after 'language', insert 'or by a school of a religious character'.

Adran 10, tudalen 11, llinell 32, ar ôl 'Gymraeg', ychwanegwch 'neu gan ysgol sy'n grefyddol o ran ei chymeriad'.

Alun Cairns **33**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 10, page 11, after line 32, insert—

'( ) Each local authority and the Welsh Ministers must promote access to education and training by schools of a religious character when exercising functions under this Measure.'.

Adran 10, tudalen 11, ar ôl llinell 35, ychwanegwch—

'( ) Rhaid i bob awdurdod addysg a Gweinidogion Cymru hybu mynediad i addysg a hyfforddiant gan ysgolion sy'n grefyddol o ran eu cymeriad wrth arfer swyddogaethau o dan y Mesur hwn.'.

Alun Cairns **27**

Section 14, page 14, line 16, leave out subsections (9) and (10).

Adran 14, tudalen 14, llinell 17, gadewch allan is-adrannau (9) a (10).

Alun Cairns **28**

Section 14, page 14, leave out line 30.

Adran 14, tudalen 14, gadewch allan linell 31.

Kirsty Williams **12**

Section 14, page 15, after line 4, insert—

‘(14) Regulations may amend subsections (9) and (10) so as to vary the maximum periods for which travel arrangements may be withdrawn.’.

Adran 14, tudalen 15, ar ôl llinell 4, ychwanegwch—

‘(14) Caiff rheoliadau ddiwygio isadrannau (9) a (10) er mwyn amrywio’r cyfnodau hiraf pryd y caniateir tynnu’r trefniadau teithio yn ôl.’.

Kirsty Williams **13**

Section 14, page 15, after line 4, insert—

‘(15) Regulations must make provision for a right of appeal against the withdrawal of travel arrangements under subsection (2).’.

Adran 14, tudalen 15, ar ôl llinell 4, ychwanegwch—

‘(15) Rhaid i’r rheoliadau wneud darpariaeth ar gyfer hawl i apelio yn erbyn tynnu'n ôl drefniadau teithio o dan is-adran (2).’.

Kirsty Williams **14**

Section 14, page 15, after line 4, insert—

‘(16) No order under section 28 bringing this section into force may be made until provision for a right of appeal against the withdrawal of travel arrangements under subsection (2) has been made by regulations made under subsection (15).’.

Adran 14, tudalen 15, ar ôl llinell 4, ychwanegwch—

'(16) Ni chaniateir i orchymyn o dan adran 28 sy'n dod â'r adran hon i rym gael ei wneud nes bod darpariaeth ar gyfer hawl i apelio yn erbyn tynnu'n ôl drefniadau teithio o dan is-adran (2) wedi'i gwneud gan reoliadau a wnaed o dan is-adran (15).'.

Alun Cairns **29**

Section 14, page 15, after line 4, insert—

'(17) Regulations must provide a right of appeal against the withdrawal of travel arrangements for periods of more than 15 consecutive days.'.

Adran 14, tudalen 15, ar ôl llinell 4, ychwanegwch,

'(17) Rhaid i reoliadau ddarparu hawl i apelio yn erbyn tynnu'n ôl drefniadau teithio am gyfnodau o fwy na 15 diwrnod o'r bron.'.

Alun Cairns **30**

Section 14, page 15, after line 4, insert—

'(18) No order under section 28 bringing this section into force may be made until provision for a right of appeal against the withdrawal of travel arrangements for periods of more than 15 consecutive days has been made by regulations made under subsection (17).'

Adran 14, tudalen 15, ar ôl llinell 4, ychwanegwch-

'(18) Ni chaniateir i orchymyn o dan adran 28 sy'n dod â'r adran hon i rym gael ei wneud nes bod darpariaeth ar gyfer hawl i apelio yn erbyn tynnu'n ôl drefniadau teithio am gyfnodau o fwy na 15 diwrnod o'r bron wedi'i gwneud gan reoliadau a wnaed o dan is-adran ( ).'

Ieuan Wyn Jones **1**

Section 15, page 15, line 8, after 'given', insert 'from time to time'.

Adran 15, tudalen 15, llinell 8, ar ôl 'roddir', ychwanegwch 'o bryd i'w gilydd'.

Alun Cairns **38**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 15, page 15, after line 11, insert—

‘( ) Guidance given under subsection (1) must include guidance as to the characteristics of vehicles suitable for use in relation to travel arrangements and as to the manner in which such vehicles are to be operated.’.

Adran 15, tudalen 15, ar ôl llinell 11, ychwanegwch—

‘( ) Rhaid i’r canllawiau a roddir o dan is-adran (1) gynnwys canllawiau ynghylch nodweddion cerbydau sy’n addas i’w defnyddio mewn perthynas â threfniadau teithio ac ynghylch sut mae’r cerbydau hynny i gael eu gweithredu.’.

Alun Cairns **34**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 15, page 15, line 14, after ‘6’, insert ‘or promoting access under section 10,’.

Adran 15, tudalen 15, llinell 15, ar ôl ‘6’, ychwanegwch ‘neu wrth hybu mynediad o dan adran 10,’.

Alun Cairns **35**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 19, page 16, line 24, leave out ‘parent’ and insert ‘person, each of whom is a parent or grandparent of the child or young person’.

Adran 19, tudalen 16, llinell 25, gadewch allan ‘rhiant’ ac ychwanegwch ‘person, y mae pob un ohonynt yn rhiant neu’n dadcu neu famgu i’r plentyn neu’r person ifanc’.

Alun Cairns **36**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 19, page 16, at the beginning of line 27, insert ‘or grandparent’.

Adran 19, tudalen 16, llinell 28, ar ôl ‘rhiant’ ychwanegwch ‘neu nain neu daid’.

Alun Cairns **37**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 19, page 16, line 31, leave out ‘his or her parents’ and insert ‘the parents or grandparents with whom the child or young person’.

Adran 19, tudalen 16, llinell 32, gadewch allan ‘o’i rieni a’r llall’ ac ychwanegwch ‘y naill a’r llall o’r rhieni neu’r tadcu a’r famgu y mae’r plentyn neu’r person ifanc’.

Kirsty Williams **11**

Section 24, page 20, after line 36, insert—

'"footpath" ("llwybr troed") means a highway over which the public have a right of way on foot only, not being a footway;

"footway" ("troedffordd") means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;'.

Adran 24, tudalen 21, ar ôl llinell 18, ychwanegwch—

'ystyr "llwybr troed" ("*footpath*") yw priffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig, nad yw'n droedffordd; ,

Adran 24, tudalen 21, ar ôl llinell 29, ychwanegwch—

ystyr "troedffordd" ("*footway*") yw ffordd sy'n rhan o briffordd sydd hefyd yn cynnwys cerbytffordd, ac sy'n ffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig;'.

Alun Cairns **21**

Section 24, page 20, after line 36, insert—

'"footway" ("troedffordd") means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;'.

Adran 24, tudalen 21, ar ôl llinell 29, ychwanegwch-

ystyr "troedffordd" ("*footway*") yw ffordd sy'n rhan o briffordd sydd hefyd yn cynnwys cerbytffordd, ac yn ffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig;'.

Ieuan Wyn Jones **2**

Section 24, page 21, line 18, leave out 'attained the age of two but have'.

Adran 24, tudalen 20, llinell 34, gadewch allan 'sydd wedi cyrraedd dwyflwydd oed ond'.

Ieuan Wyn Jones **4**

Schedule 1, page 25, line 21, leave out paragraph 4(5) and insert—

'( ) In section 509A (travel arrangements for children receiving early years education otherwise than at school)—

(a) in subsection (1), after "authority" insert "in England";

(b) in subsection (4A), after "Regulations" insert "made by the Secretary of State";

(c) in subsection (5) (as substituted by paragraph 23 of Schedule 2 to the Childcare Act 2006 (c.21)) omit "in relation to England," and paragraph (b).'.

Atodlen 1, tudalen 25, llinell 21, gadewch allan baragraff 4(5) a rhowch yn ei le—

'( ) Yn adran 509A (trefniadau teithio i blant sy'n cael addysg blynyddoedd cynnar ac eithrio mewn ysgol)—

(a) yn is-adran (1), ar ôl "authority" mewnosoder "in England";

(b) yn is-adran (4A) ar ôl "Regulations" mewnosoder "made by the Secretary of State";

(c) yn is-adran (5) (fel y mae wedi ei hamnewid gan baragraff 23 o Atodlen 2 i Ddeddf Gofal Plant 2006 (p.21)) hepgorer "in relation to England," a pharagraff (b).'.

Ieuan Wyn Jones **5**

Schedule 1, page 25, after line 23, insert—

'*Childcare Act 2006 (c.21)*

In section 110(5)(a) of the Childcare Act 2006, for "20 to 24" substitute "20 to 22, 24".'.

Atodlen 1, tudalen 25, ar ôl llinell 23, ychwanegwch—

'*Deddf Gofal Plant 2006 (p.21)*

Yn adran 110(5)(a) o Ddeddf Gofal Plant 2006, yn lle "20 to 24" rhodder "20 to 22, 24".'.

Ieuan Wyn Jones **6**

Schedule 2, page 26, column 2, after line 31, insert—

'In section 509A, in subsection (5), the words "in relation to England," and paragraph (b).'.

Atodlen 2, tudalen 26, colofn 2, ar ôl llinell 30, ychwanegwch—

'Yn adran 509A, yn is-adran (5), y geiriau "in relation to England," a pharagraff (b).'.

Ieuan Wyn Jones **3**

Section 27, page 22, line 19, leave out 'an order or'.

Adran 27, tudalen 22, llinell 20, gadewch allan 'gorchymyn neu reoliadau' a rhowch yn ei le 'rheoliadau'.

Alun Cairns **31**
Supported by/Gyda chefnogaeth:Kirsty Williams

Section 27, page 22, line 32, leave out 'or' and insert—

'( ) regulations under section 14, or '.

Adran 27, tudalen 22, ar ôl llinell 34, ychwanegwch –

'( ) rheoliadau o dan adran 14, neu'.

Kirsty Williams **16**
Supported by/Gyda chefnogaeth:Alun Cairns

To insert a new Section—

'Reports by local authorities

( ) Local authorities must, at least once in every calendar year, provide a report in writing to Welsh Ministers setting out the steps taken by them during the period to which the report relates—

(a) to promote access to education and training through the medium of the Welsh language or by a school of a religious character,

(b) to promote the use of sustainable modes of travel when exercising functions under this Measure, and

(c) to make travel arrangements for learners with special educational needs.

( ) The report under subsection (1) must describe the extent to which the steps taken appear to have been successful.'.

I ychwanegu Adran newydd—

'Adroddiadau gan yr awdurdodau lleol

( ) Rhaid i'r awdurdodau lleol, o leiaf unwaith bob blwyddyn galendr, ddarparu adroddiad ysgrifenedig i Weinidogion Cymru yn nodi'r camau a gymerwyd ganddynt yn ystod y cyfnod y mae'r adroddiad yn cyfeirio ato-

(a) i hybu mynediad i addysg a hyfforddiant drwy gyfrwng y Gymraeg neu gan ysgol sy'n grefyddol o ran ei chymeriad,

(b) i hybu defnyddio dulliau teithio cynaliadwy wrth arfer swyddogaethau o dan y Mesur hwn, ac

(c) i wneud trefniadau teithio ar gyfer dysgwyr sydd ag anghenion addysgol arbennig.'.

( ) Rhaid i'r adroddiad o dan is-adran (1) ddisgrifio i ba raddau y mae'n ymddangos bod y camau a gymerwyd wedi bod yn llwyddiannus.'.

Kirsty Williams **17**
Supported by/Gyda chefnogaeth:Alun Cairns

To insert a new Section—

'Reports by the Welsh Ministers

The Welsh Ministers must, at least once in every calendar year, lay before the Assembly a report setting out—

(a) the steps taken by them during the period to which the report in relation to the implementation of this Measure;

(b) the way in which local authorities have complied with their duties under this Measure; and

(c) when they have asked the Chief Inspector of Schools to give advice to them under section 20(2)(a) of the Education Act 2005 on a matter relating to the extent to which the duties under this Measure are being discharged effectively, the advice which they have received from the Chief Inspector during the period to which the report relates.'.

I ychwanegu Adran newydd—

'Adroddiadau gan Weinidogion Cymru

Rhaid i Weinidogion Cymru, o leiaf unwaith bob blwyddyn galendr, osod gerbron y Cynulliad adroddiad yn nodi—

(a) y camau a gymerwyd ganddynt yn ystod y cyfnod y mae'r adroddiad yn cyfeirio ato mewn perthynas â rhoi'r Mesur hwn ar waith;

(b) sut mae'r awdurdodau lleol wedi cydymffurfio â'u dyletswyddau o dan y Mesur hwn; ac

(c) pan ydynt wedi gofyn i'r Prif Arolygydd Ysgolion roi cyngor iddynt o dan adran 20(2)(a) o Ddeddf Addysg 2005 ar fater sy'n ymwneud ag i ba raddau y mae'r dyletswyddau o dan y Mesur hwn yn cael eu cyflawni'n effeithiol, y cyngor y maent wedi'i gael gan y Prif Arolygydd yn ystod y cyfnod y mae'r adroddiad yn cyfeirio ato.'.