

## WELSH LANGUAGE AND EDUCATION (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Mark Drakeford MS on 3 February 2025.

No.	GWELLIANT Y LLYWODRAETH	GOVERNMENT AMENDMENT	PURPOSE AND EFFECT
72	<p>Adran 23, tudalen 16, ar ôl llinell 31, mewnosoder—</p> <p>( ) Yn is-adran (<i>yr is-adran i'w mewnosod gan welliant 23</i>), ystyr “darpariaeth Gymraeg mewn addysg drydyddol” yw—</p> <p>(a) addysgu Cymraeg mewn addysg drydyddol yng Nghymru, a</p> <p>(b) addysg drydyddol drwy gyfrwng y Gymraeg yng Nghymru.’</p>	<p>Section 23, page 16, after line 30, insert—</p> <p>( ) In subsection (<i>subsection to be inserted by amendment 23</i>) “Welsh language provision in tertiary education” means—</p> <p>(a) Welsh language teaching in tertiary education in Wales, and</p> <p>(b) tertiary education through the medium of Welsh in Wales.’</p>	<p>This amendment replaces amendment 37 which has been withdrawn.</p> <p>The purpose of this amendment is to define ‘Welsh language provision in tertiary education’ for the purposes of section 23(1) of the Bill.</p> <p>The effect of this is to ensure that there is a clear interpretation of what is meant by ‘Welsh language provision in tertiary education’.</p> <p>This amendment is linked with amendment 23 tabled by the Government on 15 January.</p> <p>Amendment 65 has been withdrawn as a result of this amendment. There is no need for a new amendment to replace that amendment.</p>
73	<p>Adran 24, tudalen 16, llinell 41, hepgorer ‘pennu’r targedau o dan adran 23(5)’ a mewnosoder ‘pennu targedau o dan adran 23(5), neu adran 23 (<i>yr is-adran i'w mewnosod gan welliant 36</i>)’.</p>	<p>Section 24, page 16, line 40, leave out ‘the targets under section 23(5)’ and insert ‘targets under section 23(5), or section 23 (<i>subsection to be inserted by amendment 36</i>)’.</p>	<p>The purpose and effect of this amendment is to allow the Welsh Ministers to require local authorities to provide the Welsh Ministers with any information they need to set targets under the new subsection inserted by amendment 36.</p> <p>This amendment is linked to amendment 36 tabled by the Government on 15 January.</p>

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74	<p>Adran 28, tudalen 18, ar ôl llinell 17, mewnosoder—</p> <p>( ) Rhaid i gynllun strategol lleol Cymraeg mewn addysg hefyd, i'r graddau y mae rheoliadau a wneir gan Weinidogion Cymru yn gwneud hynny'n ofynnol, nodi sut y bydd yr awdurdod lleol yn arfer ei swyddogaethau addysg i hybu a hwyluso—</p> <p>(a) addysgu'r Gymraeg, a</p> <p>(b) addysg a hyfforddiant drwy gyfrwng y Gymraeg,</p> <p>mewn perthynas â phlant o oedran ysgol gorfodol nad ydynt yn ddisgyblion mewn ysgolion.'</p>	<p>Section 28, page 18, after line 17, insert—</p> <p>( ) A local Welsh in education strategic plan must also, to the extent that regulations made by the Welsh Ministers so require, set out how the local authority will exercise its education functions to promote and facilitate—</p> <p>(a) teaching Welsh, and</p> <p>(b) education and training through the medium of Welsh,</p> <p>in relation to children of compulsory school age who are not pupils in schools.'</p>	<p>The purpose and effect of this amendment is to extend what is required to be included in a local Welsh in Education Strategic Plan. A Local Authority will need to include, to the extent that regulations made by the Welsh Ministers so require, how it will exercise its education functions to promote and facilitate teaching Welsh and education and training through the medium of Welsh in relation to children of compulsory school age who are not pupils in maintained schools (as defined in the Bill). This would include, for example, children who are receiving EOTAS provision (i.e. children educated pursuant to arrangements made under section 19A of the Education Act 1996 other than in a pupil referral unit).</p>
75	<p>Adran 28, tudalen 19, ar ôl llinell 12, mewnosoder—</p> <p>( ) y Comisiwn Addysg Drydyddol ac Ymchwil;'</p>	<p>Section 28, page 19, after line 13, insert—</p> <p>( ) the Commission for Tertiary Education and Research;'</p>	<p>The purpose and effect of this amendment is to add the Commission for Tertiary Education and Research to the list of organisations that local authorities must consult on a draft of the local Welsh in Education Strategic Plan.</p>
76	<p>Adran 37, tudalen 23, llinell 6, hepgorer 'ddarparwr dysgu Cymraeg' a mewnosoder 'berson'.</p>	<p>Section 37, page 23, line 6, leave out 'Welsh language learning provider' and insert 'person'.</p>	<p>The purpose of this amendment is to remove a reference to 'Welsh language learning provider' and to replace it with a reference to a 'person'.</p> <p>The effect of this amendment is to enable the Learning Welsh Institute to provide financial assistance to a broad range of persons, including learning providers in relation to teaching or learning Welsh.</p>

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77	Adran 37, tudalen 23, llinell 17, hepgorer 'drwy wahanol lefelau dysgu Cymraeg' a mewnosoder 'drwy'r gwahanol lefelau dysgu'.	Section 37, page 23, line 17, leave out 'levels of learning Welsh' and insert 'learning levels'.	The purpose and effect of this amendment is to ensure drafting consistency within the section and to ensure equivalence between English and Welsh texts..
78	Adran 37, tudalen 23, llinell 19, ar ôl 'seilio'r', mewnosoder 'cwrwllwm cenedlaethol dysgu Cymraeg y cyfeirir ato yn is-adran (2)(g) a'r'.	Section 37, page 23, line 18, after 'The', insert 'national curriculum for Welsh language learning referred to in subsection (2)(g) and the'.	<p>The purpose of this amendment is to include a reference to the national curriculum for Welsh language learning in section 37(5) of the Bill.</p> <p>The effect of this amendment is that the curriculum which is developed and maintained under section 37(2)(g) is based on the common reference levels set out in the Table in Schedule 1 and the Code prepared by the Welsh Ministers under section.</p>
79	<p>Adran 37, tudalen 23, llinell 22, hepgorer 'yw person sy'n addysgu Cymraeg, neu'n darparu addysgu Cymraeg, i bobl sydd dros oedran ysgol gorfodol' a mewnosoder —</p> <p><i>“Welsh language learning provider”</i> yw person a ariennir gan yr Athrofa Dysgu Cymraeg i ddarparu addysgu Cymraeg i bobl sydd dros oedran ysgol gorfodol;</p> <p>mae i “oedran ysgol gorfodol” yr ystyr a roddir i “compulsory school age” gan adran 8 o Ddeddf Addysg 1996’.</p>	<p>Section 37, page 23, line 21, leave out ‘, a “Welsh language learning provider” means a person who teaches Welsh, or provides’ and insert ‘—</p> <p>“compulsory school age” (<i>“oedran ysgol gorfodol”</i>) has the meaning given by section 8 of the Education Act 1996;</p> <p>“Welsh language learning provider” (<i>“darparwr dysgu Cymraeg”</i>) means a person funded by the Learning Welsh Institute to provide’.</p>	<p>The purpose of this amendment is to change the definition of Welsh language learning provider and to add a definition for compulsory school age.</p> <p>The effect of this amendment is firstly to narrow the definition of a Welsh language learning provider so that it only captures those providers funded by the Learning Welsh Institute to deliver Welsh language teaching to people over compulsory school age. This will ensure that the definition does not capture every person who teaches Welsh to learners over compulsory school age.</p> <p>The second effect is to ensure that any references to compulsory school age in Part 5 of the Bill have the same meaning as that given by section 8 of the Education Act 1996, so that the definition is</p>

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			consistent.
80	Adran 39, tudalen 23, llinell 31, ar ôl 'mewn', mewnosoder 'rhaglenni'.	Section 39, page 23, line 30, after 'learning', insert 'programmes'.	<p>The purpose of this amendment is to include a reference to learning programmes in this section of the Bill.</p> <p>The effect of this amendment is to place a duty on the Learning Welsh Institute, whilst exercising its functions, to promote increased participation in Welsh language learning programmes. "Programmes" reflects the full range of learning provision which is provided by the Institute and the providers which it funds. See amendment 82 (definition of programmes)</p>
81	Adran 39, tudalen 23, llinell 34, hepgorer 'cyrsgiau' a mewnosoder 'rhaglenni'.	Section 39, page 23, line 33, leave out 'courses of Welsh language learning' and insert 'Welsh language learning programmes'.	<p>The purpose of this amendment is to achieve consistency in drafting in this section of the Bill. See amendment 82.</p> <p>The effect of this amendment is to place a duty on the Learning Welsh Institute, whilst exercising its functions, to promote the retention of learners to the end of Welsh language learning programmes, rather than courses. "Programmes" reflects the full range of learning provision which is provided by the Institute and the providers which it funds. See amendment 82 (definition of programmes).</p>
82	Adran 39, tudalen 24, llinell 1, hepgorer ' , "grwpiau sydd heb gynrychiolaeth ddigonol" yw grwpiau o bobl sydd heb gynrychiolaeth ddigonol mewn addysg	Section 39, page 24, line 1, leave out 'are groups of people that are under-represented in Welsh language education as a result of social, cultural, economic or	The purpose of this amendment is to include a reference to "Welsh language learning programmes" in the definition of "under-represented groups" to

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	<p>Gymraeg o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol’</p> <p>a mewnosoder ‘—</p> <p>ystyr “grwpiau sydd heb gynrychiolaeth ddigonol” (“<i>under-represented groups</i>”) yw grwpiau o bobl sydd heb gynrychiolaeth ddigonol mewn rhaglenni dysgu Cymraeg o ganlyniad i ffactorau cymdeithasol, diwylliannol, economaidd neu sefydliadol;</p> <p>ystyr “rhaglenni dysgu Cymraeg” (“<i>Welsh language learning programmes</i>”) yw rhaglenni dysgu Cymraeg a ddarperir gan yr Athrofa Dysgu Cymraeg neu gan ddarparwr dysgu Cymraeg’.</p>	<p>organisational factors’</p> <p>and insert</p> <p>“(“<i>grwpiau sydd heb gynrychiolaeth ddigonol</i>”) means groups of people that are under-represented in Welsh language learning programmes as a result of social, cultural, economic or organisational factors;</p> <p>“Welsh language learning programmes” (“<i>rhaglenni dysgu Cymraeg</i>”) means Welsh language learning programmes provided by the Learning Welsh Institute or by a Welsh language learning provider’.</p>	<p>ensure consistency in drafting in this section of the Bill.</p> <p>The effect of this amendment is to reflect the full range of learning provision which is provided by the Learning Welsh Institute and the providers which it funds. The effect of this amendment also is that Welsh language learning programmes has the meaning given, which is learning programmes provided by the Institute or one of its providers. This will ensure that the Institute is able to influence things within the scope of its control, namely the programmes it provides or funds, not any Welsh language learning activity. It will also ensure consistency in drafting in this section of the Bill. See amendments 80 and 81.</p>
83	<p>Adran 41, tudalen 24, llinell 18, hepgorer ‘yng Nghymru (nad ydynt yn ddarparwyr dysgu Cymraeg)’ a mewnosoder ‘a gynhelir a rhwng darparwyr dysgu Cymraeg ac ysgolion meithrin a gynhelir’.</p>	<p>Section 41, page 24, line 19, leave out ‘schools in Wales (that are not Welsh language learning providers)’ and insert ‘maintained schools and between Welsh language learning providers and maintained nursery schools’.</p>	<p>The purpose of the amendment is to remove the reference to ‘schools in Wales (that are not Welsh language learning providers)’ in this section and to replace it with a reference to maintained schools and maintained nursery schools.</p> <p>The effect of this amendment is to ensure that the scope of this part of the Bill is limited to maintained schools and maintained nursery schools, as defined in section 49 of the Bill. This amendment should be read in conjunction with amendment 62 (tabled by the Government on 15 January).</p>
84	<p>Adran 43, tudalen 25, llinell 1, hepgorer ‘ar ôl paragraff (4) mewnosoder—</p>	<p>Section 43, page 25, line 2, leave out ‘after paragraph (4) insert—</p>	<p>The purpose of the amendment is to include a reference to the National Institute for Learning Welsh in the Welsh Language Standards (No. 6)</p>

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	<p>“(5) Yr Athrofa Dysgu Cymraeg Genedlaethol, sy’n ei gwneud yn ofynnol iddi gydymffurfio ag unrhyw un neu ragor o’r safonau a bennir o dan reoliad 2 a’r Atodlenni.”</p> <p>a mewnosoder ‘ym mharagraff (3), ar ôl “Corfforaethau Addysg Uwch yng Nghymru” mewnosoder “Yr Athrofa Dysgu Cymraeg Genedlaethol”.’.</p>	<p>“(5) The National Institute for Learning Welsh, requiring it to comply with any of the standards specified under regulation 2 and the Schedules.”</p> <p>and insert ‘in paragraph (3), after “Higher Education Corporations in Wales” insert “the National Institute for Learning Welsh”.’.</p>	<p>Regulations 2017, so that it is listed alongside other bodies that are liable to have to comply with the same range of standards.</p> <p>The effect of this amendment is to provide greater clarity regarding which standards the Welsh Language Commissioner will have the right to impose on the Learning Welsh Institute.</p>
85	Adran 44, tudalen 25, llinell 18, hepgorer ‘sy’n cael cefnogaeth ariannol gan yr Athrofa Dysgu Cymraeg’.	Section 44, page 25, line 17, leave out ‘the providers of Welsh language learning who receive financial support from the Learning Welsh Institute’ and insert ‘Welsh language learning providers’.	<p>The purpose of this amendment is to achieve consistency in drafting throughout the Bill.</p> <p>The effect of this amendment is that in this section of the Bill Welsh language learning providers has the same meaning as in section 37(6). See amendment 79.</p>
86	Adran 49, tudalen 26, llinell 30, hepgorer is-adrannau (1) hyd at (2).	Section 49, page 26, line 29, leave out subsections (1) to (2).	The purpose of this amendment is to leave out subsection (1) and (2) as a result of amendment 87.
87	<p>Adran 49, tudalen 27, ar ôl llinell 39, mewnosoder—</p> <p>‘( ) Mae i ymadroddion eraill yn is-adran (3), adran 1(1)(c), a Rhannau 3 a 4 o’r Ddeddf hon, y diffinnir yr ymadroddion Saesneg cyfatebol iddynt yn Neddf Addysg 1996 (p. 56), neu y rhoddir ystyr iddynt ganddi, yr un ystyr ag a roddir i’r ymadroddion Saesneg cyfatebol hynny yn y Ddeddf honno, gan gynnwys—</p> <p>“blwyddyn ysgol” (“school year”) (gweler adran 579(1) o Ddeddf</p>	<p>Section 49, page 27, after line 39, insert—</p> <p>‘( ) Other expressions in subsection (3), section 1(1)(c) and Parts 3 and 4 of this Act that are defined in, or given a meaning by, the Education Act 1996 (c. 56) have the same meaning as in that Act, including—</p> <p>“compulsory school age” (“oedran ysgol gorfodol”) (see section 8 of the Education Act 1996);</p> <p>“education functions”</p>	<p>The purpose of the amendment is to insert a new subsection in section 49, to make reference to definitions in the Education Act 1996.</p> <p>The effect of the amendment is to ensure that the Legislation (Wales) Act 2019 generally applies to the Act.</p> <p>The combined effect of amendment 86 and amendment 87 is that the provisions of the Bill are not to be read “as if they were provisions of the Education Act 1996”, rather, where the Education Act</p>

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	<p>Addysg 1996);</p> <p>“disgybl” (“<i>pupil</i>”) (gweler adran 3 o Ddeddf Addysg 1996);</p> <p>“oedran ysgol gorfodol” (“<i>compulsory school age</i>”) (gweler adran 8 o Ddeddf Addysg 1996);</p> <p>“swyddogaethau addysg” (“<i>education functions</i>”) (gweler y swyddogaethau a bennir yn Atodlen 36A i Ddeddf Addysg 1996);</p> <p>“uned cyfeirio disgyblion” (“<i>pupil referral unit</i>”) (gweler adran 19A(2) o Ddeddf Addysg 1996);</p> <p>“ysgol gynradd” (“<i>primary school</i>”) (gweler adran 5(1) o Ddeddf Addysg 1996);</p> <p>“ysgol uwchradd” (“<i>secondary school</i>”) (gweler adran 5(2) o Ddeddf Addysg 1996).</p> <p>( ) Ond pan fo ystyr wedi ei roi i ymadrodd at ddibenion y Ddeddf hon (naill ai gan y Ddeddf hon neu gan Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4)) sy'n wahanol i'r ystyr a roddir iddo at ddibenion Deddf Addysg 1996, mae'r ystyr hwnnw yn gymwys at ddibenion y ddarpariaeth honno yn lle'r un a roddir at ddibenion Deddf 1996.'</p>	<p>(“<i>swyddogaethau addysg</i>”) (see the functions specified in Schedule 36A to the Education Act 1996);</p> <p>“primary school” (“<i>ysgol gynradd</i>”) (see section 5(1) of the Education Act 1996);</p> <p>“pupil” (“<i>disgybl</i>”) (see section 3 of the Education Act 1996);</p> <p>“pupil referral unit” (“<i>uned cyfeirio disgyblion</i>”) (see section 19A(2) of the Education Act 1996);</p> <p>“school year” (“<i>blwyddyn ysgol</i>”) (see section 579(1) of the Education 1996);</p> <p>“secondary school” (“<i>ysgol uwchradd</i>”) (see section 5(2) of the Education Act 1996).</p> <p>( ) But where for the purposes of this Act an expression is given (either by this Act or by the Legislation (Wales) Act 2019 (anaw 4)) a meaning different from that given to it for the purposes of the Education Act 1996, that meaning applies for the purposes of that provision instead of the one given for the purposes of the 1996 Act.'</p>	<p>1996 gives meaning or defines a term referred to in amendment 87, the definition or meaning given in the 1996 Act applies (subject to the contrary provision in this Bill).</p> <p>This amendment replaces amendment 59 which has been withdrawn.</p>

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88	Adran 52, tudalen 29, llinell 10, hepgorer 'pharagraff' a mewnosoder 'pharagraffau 2(4) a'.	Section 52, page 29, line 8, leave out 'paragraph' and insert 'paragraphs 2(4) and'.	<p>The purpose of this amendment is to bring paragraph 2(4) of Schedule 2 within the scope of section 52(4).</p> <p>The effect of this amendment is that any regulations made in exercise of the power under paragraph 2(4) will be subject to the draft affirmative procedure.</p>
89	Adran 54, tudalen 29, ar ôl llinell 35, mewnosoder— '() Daw Rhan 5 ac Atodlen 2 i rym ar 1 Awst 2027.'	Section 54, page 29, after line 32, insert— '() Part 5 and Schedule 2 come into force on 1 August 2027.'	<p>The purpose of this amendment is to include an implementation date for Part 5 and Schedule 2 of the face of the Bill.</p> <p>The effect of this amendment is that preparatory work for establishing the Learning Welsh Institute will be able to be carried out during the period after Royal Assent and before 1 August 2027 so that the Institute can be operational on 1 August 2027.</p>
90	Atodlen 2, tudalen 35, llinell 11, hepgorer 'ar unrhyw delerau ac amodau (gan gynnwys telerau ac amodau o ran tâl, treuliau, lwfansau a phensiwn) y maent yn penderfynu arnynt.' a mewnosoder— ' ( ) Mae'r person a benodir o dan is-baragraff (2) i'w benodi ar unrhyw delerau ac amodau (gan gynnwys telerau ac amodau o ran tâl, treuliau, lwfansau a phensiwn) y mae Gweinidogion Cymru yn penderfynu arnynt.  ( ) Ond pan fo Rheoliadau Trosglwyddo Ymgymeriadau	Schedule 2, page 35, line 11, leave out 'on such terms and conditions (including terms and conditions as to remuneration, expenses, allowances and pension) as they determine.' and insert— ' ( ) The person appointed under subparagraph (2) is to be appointed on such terms and conditions (including terms and conditions as to remuneration, expenses, allowances and pension) as the Welsh Ministers may determine.  ( ) But where the Transfer of Undertakings (Protection of	<p>The first purpose of this amendment is to separate into different paragraphs the provisions about the making of the Chief Executive's appointment and the determination of that person's terms and conditions.</p> <p>The second purpose is to refer to the circumstances where the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246) ("TUPE Regulations") apply to the appointment of the Learning Welsh Institute's first Chief Executive.</p> <p>The effect of this amendment is to provide more clarity about the appointment of the first Chief Executive of the Institute, who will be appointed by the Welsh Ministers. It provides that the Welsh Ministers determine the Chief Executive's terms and conditions, and where TUPE Regulations apply to the</p>

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	(Diogelu Cyflogaeth) 2006 (O.S. 2006/246) yn gymwys mewn perthynas â'r person a benodir o dan is-baragraff (2) rhaid i'r penodiad a'r penderfyniad ar delerau ac amodau'r person hwnnw o dan is-baragraff (3) gael eu gwneud yn unol â'r Rheoliadau hynny.'.	Employment) Regulations 2006 (S.I. 2006/246) apply in relation to the person appointed under sub-paragraph (2) the appointment and the determination of that person's terms and conditions under sub-paragraph (3) must be made in accordance with those Regulations.'.	appointee, that both the appointment and determination of terms and conditions comply with those regulation.
91	Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.	Schedule 2, page 35, line 18, leave out 'of staff'.	The purpose and effect of this amendment is to ensure equivalence between English and Welsh texts.