



OFFERYNNAU STATUDOL
CYMRU

2013 Rhif 1100 (Cy.117) (C.45)

ADDYSG, CYMRU

**Gorchymyn Deddf Prentisiaethau,
Sgiliau, Plant a Dysgu 2009
(Cychwyn Rhif 4) (Cymru)
2013**

NODYN ESBONIADOL

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

Y Gorchymyn hwn yw'r pedwerydd Gorchymyn Cychwyn a wnaed gan Weinidogion Cymru o dan Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22) ("Deddf 2009") sy'n dwyn darpariaethau penodol yn Neddf 2009 i rym. Disgrifir y darpariaethau isod.

Mae adran 2 yn nodi'r amgylchiadau pan fo person yn cwblhau prentisiaeth Gymreig mewn perthynas â fframwaith prentisiaeth. Y gofyniad yw bod y person yn bodloni'r amodau cwblhau Cymreig safonol neu'r amodau cwblhau Cymreig amgen.

Mae adrannau 7 i 10 yn gwneud darpariaeth ynghylch dyroddi tystysgrifau prentisiaethau. Yn benodol, mae adran 10 yn darparu mai'r awdurdod ardystio ar gyfer prentisiaethau fydd personau a ddynodir at y diben hwnnw gan Weinidogion Cymru neu Weinidogion Cymru eu hunain.

Mae adran 11 yn nodi'r hyn y mae'n ofynnol ei gynnwys mewn tystysgrif brentisiaeth.

Mae adran 12 yn ddarpariaeth ddehongli sy'n diffinio "apprenticeship framework".

Mae adrannau 18 i 22 yn ymwneud â fframweithiau prentisiaethau. Yn benodol, mae adran 18 yn darparu pŵer i Weinidogion Cymru ddynodi person i ddyroddi fframweithiau prentisiaethau, mewn perthynas â sector penodol. Mae'r adrannau hefyd yn gwneud darpariaeth ynghylch cyhoeddi fframweithiau prentisiaethau.

WELSH STATUTORY
INSTRUMENTS

2013 No. 1100 (W.117) (C.45)

EDUCATION, WALES

**The Apprenticeships, Skills,
Children and Learning Act 2009
(Commencement No. 4) (Wales)
Order 2013**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fourth Commencement Order made by the Welsh Ministers under the Apprenticeships, Skills, Children and Learning Act 2009 (c.22) ("the 2009 Act") which brings into force certain provisions of the 2009 Act. The provisions are described below.

Section 2 sets out the circumstances in which a person completes a Welsh apprenticeship in relation to an apprenticeship framework. The requirement is that the person meets the standard Welsh completion conditions or the alternative Welsh completion conditions.

Sections 7 to 10 make provision about the issue of apprenticeship certificates. In particular, section 10 provides that the certifying authority for apprenticeships will be persons designated for that purpose by the Welsh Ministers or the Welsh Ministers themselves.

Section 11 sets out the required contents of an apprenticeship certificate.

Section 12 is an interpretation provision which defines "apprenticeship framework".

Sections 18 to 22 relate to apprenticeship frameworks. In particular, section 18 provides the Welsh Ministers with the power to designate a person to issue apprenticeship frameworks, in relation to a particular sector. The sections also make provision about the publication of apprenticeship frameworks.

Mae adrannau 28 i 31 yn gwneud darpariaeth mewn cysylltiad â phennu safonau prentisiaethau. Rhoddir pŵer i Weinidogion Cymru lunio safonau drafft a bennir ar gyfer prentisiaethau yng Nghymru, ac ymgynghori arnynt.

Mae adran 39 yn ddarpariaeth ddehongli sy'n diffinio'r termau a ddefnyddir ym Mhennod 1 o Ran 1 o Ddeddf 2009.

NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH

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

Mae'r darpariaethau yn Neddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 ("Deddf 2009") yn y tabl isod wedi eu dwyn i rym o ran Cymru drwy Orchmynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

Mae amryw o ddarpariaethau Deddf 2009 hefyd wedi eu dwyn i rym o ran Lloegr yn unig drwy'r Offerynnau Statudol a ganlyn: O.S. 2010/303, O.S. 2011/200.

Gweler hefyd adran 269(1) o Ddeddf 2009 am y darpariaethau a ddaeth i rym ar 12 Tachwedd 2009 (y diwrnod y pasiwyd Deddf 2009).

Gweler hefyd adran 269(2) o Ddeddf 2009 am y darpariaethau a ddaeth i rym ar 12 Ionawr 2010 (ar ddiwedd cyfnod o ddau fis gan ddechrau ar y dyddiad y pasiwyd Deddf 2009).

Sections 28 to 31 make provision in respect of the specification of apprenticeships standards. The Welsh Ministers are given the power to prepare and consult on a draft specification of apprenticeship standards for Wales.

Section 39 is an interpretation provision which defines terms used in Chapter 1 of Part 1 of the 2009 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The provisions of the Apprenticeships, Skills, Children and Learning Act 2009 ("the 2009 Act") in the table below have been brought into force in relation to Wales by Commencement Orders made before the date of this Order.

Various provisions of the 2009 Act have also been brought into force in relation to England only by the following Statutory Instruments: S.I. 2010/303, S.I. 2011/200.

See also section 269(1) of the 2009 Act for the provisions which came into force on 12 November 2009 (the day on which the 2009 Act was passed).

See also section 269(2) of the 2009 Act for the provisions which came into force on 12 January 2010 (at the end of two months beginning on the date the 2009 Act was passed).

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>O.S. Rhif</i>
adran 49 (yn rhannol)	1 Ebrill 2011	O.S. 2011/829 (Cy. 124)
adran 50 (yn rhannol)	1 Ebrill 2011	O.S. 2011/829 (Cy. 124)
adran 51	1 Ebrill 2011	O.S. 2011/829 (Cy. 124)
adran 52	1 Ebrill 2011	O.S. 2011/829 (Cy. 124)
adran 174 (yn rhannol)	1 Tachwedd 2010	O.S. 2010/2413 (Cy. 207)
adran 192 (yn rhannol)	1 Tachwedd 2010	O.S. 2010/2413 (Cy. 207)
adran 205	12 Ionawr 2010	O.S. 2009/3341 (Cy. 292)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 49 (in part)	1 April 2011	S.I. 2011/829 (W. 124)
section 50 (in part)	1 April 2011	S.I. 2011/829 (W. 124)
section 51	1 April 2011	S.I. 2011/829 (W. 124)
section 52	1 April 2011	S.I. 2011/829 (W. 124)
section 174 (in part)	1 November 2010	S.I. 2010/2413 (W. 207)
section 192 (in part)	1 November 2010	S.I. 2010/2413 (W. 207)
section 205	12 January 2010	S.I. 2009/3341 (W. 292)

adran 259	1 Hydref 2010	O.S. 2010/2413 (Cy. 207)
adran 266 (yn rhannol)	1 Tachwedd 2010	O.S. 2010/2413 (Cy. 207)
Atodlen 6 (yn rhannol)	1 Ebrill 2011	O.S. 2011/829 (Cy. 124)
Atodlen 12 (yn rhannol)	1 Tachwedd 2010	O.S. 2010/2413 (Cy. 207)
Atodlen 14	12 Ionawr 2010	O.S. 2009/3341 (Cy. 292)
Atodlen 16 (yn rhannol)	1 Tachwedd 2010 yn rhannol ac 1 Hydref 2010 yn rhannol	O.S. 2010/2413 (Cy. 207)

Mae'r darpariaethau a ganlyn yn Neddf 2009 wedi eu dwyn i rym o ran Cymru a Lloegr drwy Orchymynion Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

section 259	1 October 2010	S.I. 2010/2413 (W. 207)
section 266 (in part)	1 November 2010	S.I. 2010/2413 (W. 207)
Schedule 6 (in part)	1 April 2011	S.I. 2011/829 (W. 124)
Schedule 12 (in part)	1 November 2010	S.I. 2010/2413 (W. 207)
Schedule 14	12 January 2010	S.I. 2009/3341 (W. 292)
Schedule 16 (in part)	1 November 2010 in part and 1 October 2010 in part	S.I. 2010/2413 (W. 207)

The following provisions of the 2009 Act have been brought into force in relation to England and Wales by Commencement Orders made before the date of this Order:

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>O.S. Rhif</i>
adran 1	6 Ebrill 2011	O.S. 2011/200
adrannau 3 i 6	6 Ebrill 2011	O.S. 2011/200
adrannau 13 i 16	1 Mawrth 2011	O.S. 2011/200
adran 17	6 Ebrill 2011	O.S. 2011/200
adrannau 23 i 27	30 Medi 2010	O.S. 2010/2374
adrannau 32 i 36	6 Ebrill 2011 (o ran Lloegr) ac 1 Awst 2011 (o ran Cymru)	O.S. 2011/200
adran 37	6 Ebrill 2011	O.S. 2011/200
adran 38	1 Mawrth 2011	O.S. 2011/200
adran 40 (yn rhannol)	6 Ebrill 2010	O.S. 2010/303
adrannau 41 i 44	1 Ebrill 2010	O.S. 2010/303
adrannau 46 a 47	1 Ebrill 2010	O.S. 2010/303
adrannau 53 a 54	1 Ebrill 2010	O.S. 2010/303
adrannau 55 a 56	12 Ionawr 2010	O.S. 2009/3317

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 1	6 April 2011	S.I. 2011/200
sections 3 to 6	6 April 2011	S.I. 2011/200
sections 13 to 16	1 March 2011	S.I. 2011/200
section 17	6 April 2011	S.I. 2011/200
sections 23 to 27	30 September 2010	S.I. 2010/2374
sections 32 to 36	6 April 2011 (in relation to England) and 1 August 2011 (in relation to Wales)	S.I. 2011/200
section 37	6 April 2011	S.I. 2011/200
section 38	1 March 2011	S.I. 2011/200
section 40 (in part)	6 April 2010	S.I. 2010/303
sections 41 to 44	1 April 2010	S.I. 2010/303
sections 46 and 47	1 April 2010	S.I. 2010/303
sections 53 and 54	1 April 2010	S.I. 2010/303
sections 55 and 56	12 January 2010	S.I. 2009/3317

adran 57	1 Ebrill 2010	O.S. 2010/303
adran 59 (yn rhannol)	12 Ionawr 2010 ac 1 Ebrill 2010	O.S. 2009/3317 ac O.S. 2010/303
adrannau 60 i 90	1 Ebrill 2010	O.S. 2010/303
adrannau 100 i 104	1 Ebrill 2010	O.S. 2010/303
adran 105	6 Ebrill 2011	O.S. 2011/200
adrannau 106 i 111	1 Ebrill 2010	O.S. 2010/303
adran 112 (yn rhannol)	12 Ionawr 2010 ac 1 Ebrill 2010	O.S. 2009/3317 ac O.S. 2010/303
adrannau 113 i 124	1 Ebrill 2010	O.S. 2010/303
adran 125	12 Ionawr 2010 (yn rhannol) ac 1 Ebrill 2010 (at y dibenion sy'n weddill)	O.S. 2009/3317 ac O.S. 2010/303
adran 126	12 Ionawr 2010	O.S. 2009/3317
adrannau 127 i 144	1 Ebrill 2010	O.S. 2010/1151
adran 147	1 Ebrill 2010	O.S. 2010/1151
adran 148 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
adrannau 149 i 154	1 Ebrill 2010	O.S. 2010/1151
adrannau 56 a 157	1 Ebrill 2010	O.S. 2010/1151
adran 158 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
adran 159 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
adran 160 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
adrannau 161 i 173	1 Ebrill 2010	O.S. 2010/1151
adran 174 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
adrannau 175 i 177	1 Ebrill 2010	O.S. 2010/1151
adran 178	12 Ionawr 2010 (yn rhannol) ac 1 Ebrill 2010 (at y dibenion sy'n weddill)	O.S. 2009/3317 ac O.S. 2010/1151

section 57	1 April 2010	S.I. 2010/303
section 59 (in part)	12 January 2010 and 1 April 2010	S.I. 2009/3317 and S.I. 2010/303
sections 60 to 90	1 April 2010	S.I. 2010/303
sections 100 to 104	1 April 2010	S.I. 2010/303
section 105	6 April 2011	S.I. 2011/200
sections 106 to 111	1 April 2010	S.I. 2010/303
section 112 (in part)	12 January 2010 and 1 April 2010	S.I. 2009/3317 and S.I. 2010/303
sections 113 to 124	1 April 2010	S.I. 2010/303
section 125	12 January 2010 (in part) and 1 April 2010 (for remaining purposes)	S.I. 2009/3317 and S.I. 2010/303
section 126	12 January 2010	S.I. 2009/3317
sections 127 to 144	1 April 2010	S.I. 2010/1151
section 147	1 April 2010	S.I. 2010/1151
section 148 (in part)	1 April 2010	S.I. 2010/1151
sections 149 to 154	1 April 2010	S.I. 2010/1151
sections 156 and 157	1 April 2010	S.I. 2010/1151
section 158 (in part)	1 April 2010	S.I. 2010/1151
section 159 (in part)	1 April 2010	S.I. 2010/1151
section 160 (in part)	1 April 2010	S.I. 2010/1151
sections 161 to 173	1 April 2010	S.I. 2010/1151
section 174 (in part)	1 April 2010	S.I. 2010/1151
sections 175 to 177	1 April 2010	S.I. 2010/1151
section 178	12 January 2010 (in part) and 1 April 2010 (for remaining purposes)	S.I. 2009/3317 and S.I. 2010/1151

adran 179	1 Ebrill 2010	O.S. 2010/1151
adran 180 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
adrannau 181 i 191	1 Ebrill 2010	O.S. 2010/1151
adran 192 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
adran 193	12 Ionawr 2010 (yn rhannol) ac 1 Ebrill 2010 (at y dibenion sy'n weddill)	O.S. 2009/3317 ac O.S. 2010/303
adran 194	26 Chwefror 2010 (yn rhannol) ac 1 Ebrill 2010 (at y dibenion sy'n weddill)	O.S. 2010/303
adran 195	12 Ionawr 2010	O.S. 2009/3317
adrannau 196 a 197	1 Ebrill 2010	O.S. 2010/303
adran 202	12 Ionawr 2010 (yn rhannol) a 28 Chwefror 2011 (at y dibenion sy'n weddill)	O.S. 2009/3317 ac O.S. 2010/2374
adrannau 203 a 204	12 Ionawr 2010	O.S. 2009/3317
adrannau 206 i 224	19 Ebrill 2010 (yn rhannol) ac 1 Medi 2010 (yn rhannol)	O.S. 2010/303 ac O.S. 2010/1151
adran 225	12 Ionawr 2010 (yn rhannol) ac 1 Ebrill 2010 (at y dibenion sy'n weddill)	O.S. 2009/3317 ac O.S. 2010/303
adran 226 (yn rhannol)	12 Ionawr 2010	O.S. 2009/3317
adrannau 227 i 241	12 Ionawr 2010	O.S. 2009/3317
adrannau 242 i 245	1 Medi 2010	O.S. 2010/303
adran 249 (yn rhannol)	1 Medi 2010	O.S. 2010/303
adrannau 251 i 255	12 Ionawr 2010	O.S. 2009/3317
adran 256	1 Ebrill 2010	O.S. 2010/303
adrannau 257 a 258	12 Ionawr 2010	O.S. 2009/3317

section 179	1 April 2010	S.I. 2010/1151
section 180 (in part)	1 April 2010	S.I. 2010/1151
sections 181 to 191	1 April 2010	S.I. 2010/1151
section 192 (in part)	1 April 2010	S.I. 2010/1151
section 193	12 January 2010 (in part) and 1 April 2010 (for remaining purposes)	S.I. 2009/3317 and S.I. 2010/303
section 194	26 February 2010 in part) and 1 April 2010 (for remaining purposes)	S.I. 2010/303
section 195	12 January 2010	S.I. 2009/3317
sections 196 and 197	1 April 2010	S.I. 2010/303
section 202	12 January 2010 (in part) and 28 February 2011 (for remaining purposes)	S.I. 2009/3317 and S.I. 2010/2374
sections 203 and 204	12 January 2010	S.I. 2009/3317
sections 206 to 224	19 April 2010 (in part) and 1 September 2010 (in part)	S.I. 2010/303 and S.I. 2010/1151
section 225	12 January 2010 (in part) and 1 April 2010 (for remaining purposes)	S.I. 2009/3317 and S.I. 2010/303
section 226 (in part)	12 January 2010	S.I. 2009/3317
sections 227 to 241	12 January 2010	S.I. 2009/3317
sections 242 to 245	1 September 2010	S.I. 2010/303
section 249 (in part)	1 September 2010	S.I. 2010/303
sections 251 to 255	12 January 2010	S.I. 2009/3317
section 256	1 April 2010	S.I. 2010/303
sections 257 and 258	12 January 2010	S.I. 2009/3317

adran 261	12 Ionawr 2010	O.S. 2009/3317
adran 266 (yn rhannol)	12 Ionawr 2010 ac 1 Ebrill 2010	O.S. 2009/3317, O.S. 2010/303 ac O.S. 2010/1151
Atodlen 1 (yn rhannol)	6 Ebrill 2010	O.S. 2010/303
Atodlen 2 (yn rhannol)	12 Ionawr 2010, 1 Ebrill 2010 ac 1 Medi 2010	O.S. 2009/3317 ac O.S. 2010/303
Atodlen 3 (yn rhannol)	1 Ebrill 2010	O.S. 2010/303
Atodlenni 4 i 7	1 Ebrill 2010	O.S. 2010/303
Atodlen 8	12 Ionawr 2010 (yn rhannol) ac 1 Ebrill 2010 (at y dibenion sy'n weddill)	O.S. 2009/3317 ac O.S. 2010/303
Atodlenni 9 i 11	1 Ebrill 2010	O.S. 2010/1151
Atodlen 12 (yn rhannol)	1 Ebrill 2010	O.S. 2010/1151
Atodlen 13	12 Ionawr 2010	O.S. 2009/3317
Atodlen 15	12 Ionawr 2010	O.S. 2009/3317
Atodlen 16 (yn rhannol)	12 Ionawr 2010, 1 Ebrill 2010, 19 Ebrill 2010 ac 1 Medi 2010	O.S. 2009/3317, O.S. 2010/303 ac O.S. 2010/1151

section 261	12 January 2010	S.I. 2009/3317
section 266 (in part)	12 January 2010 and 1 April 2010	S.I. 2009/3317, S.I. 2010/303 and S.I. 2010/1151
Schedule 1 (in part)	6 April 2010	S.I. 2010/303
Schedule 2 (in part)	12 January 2010, 1 April 2010 and 1 September 2010	S.I. 2009/3317 and S.I. 2010/303
Schedule 3 (in part)	1 April 2010	S.I. 2010/303
Schedules 4 to 7	1 April 2010	S.I. 2010/303
Schedule 8	12 January 2010 (in part) and 1 April 2010 (for remaining purposes)	S.I. 2009/3317 and S.I. 2010/303
Schedules 9 to 11	1 April 2010	S.I. 2010/1151
Schedule 12 (in part)	1 April 2010	S.I. 2010/1151
Schedule 13	12 January 2010	S.I. 2009/3317
Schedule 15	12 January 2010	S.I. 2009/3317
Schedule 16 (in part)	12 January 2010, 1 April 2010, 19 April 2010 and 1 September 2010	S.I. 2009/3317, S.I. 2010/303 and S.I. 2010/1151

2013 Rhif 1100 (Cy.117) (C.45)

ADDYSG, CYMRU

Gorchymyn Deddf Prentisiaethau,
Sgiliau, Plant a Dysgu 2009
(Cychwyn Rhif 4) (Cymru)
2013

Gwnaed

2 Mai 2013

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd gan adran 269(3) ac (8) o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009(1):

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (Cychwyn Rhif 4) (Cymru) 2013.

(2) Yn y Gorchymyn hwn, ystyr "y Ddeddf" ("*the Act*") yw Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.

Y diwrnod penodedig

2.—(1) 10 Mai 2013 yw'r diwrnod penodedig ar gyfer dod â'r darpariaethau a ganlyn i rym—

- (a) adran 2;
- (b) adran 7;
- (c) adran 8;
- (d) adran 9;
- (e) adran 10;
- (f) adran 18;
- (g) adran 19;
- (h) adran 20;
- (i) adran 21;
- (j) adran 22;
- (k) adran 28;
- (l) adran 29;
- (m) adran 30; ac
- (n) adran 31.

2013 No. 1100 (W.117) (C.45)

EDUCATION, WALES

The Apprenticeships, Skills,
Children and Learning Act 2009
(Commencement No. 4) (Wales)
Order 2013

Made

2 May 2013

The Welsh Ministers make the following Order in exercise of the powers conferred by section 269(3) and (8) of the Apprenticeships, Skills, Children and Learning Act 2009(1):

Title and interpretation

1.—(1) The title of this Order is the Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No. 4) (Wales) Order 2013.

(2) In this Order "the Act" ("*y Ddeddf*") means the Apprenticeships, Skills, Children and Learning Act 2009.

Appointed day

2.—(1) 10 May 2013 is the appointed day for the coming into force of the following provisions—

- (a) section 2;
- (b) section 7;
- (c) section 8;
- (d) section 9;
- (e) section 10;
- (f) section 18;
- (g) section 19;
- (h) section 20;
- (i) section 21;
- (j) section 22;
- (k) section 28;
- (l) section 29;
- (m) section 30; and
- (n) section 31.

(2) 10 Mai 2013 yw'r diwrnod penodedig ar gyfer dod â'r darpariaethau a ganlyn i rym i'r graddau y maent yn ymwneud â Chymru—

- (a) adran 11;
- (b) adran 12; ac
- (c) adran 39.

(2) 10 May 2013 is the appointed day for the coming into force of the following provisions so far as relating to Wales—

- (a) section 11;
- (b) section 12; and
- (c) section 39.

Jeff Cuthbert

O dan awdurdod y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

Under authority of the Minister for Education and Skills, one of the Welsh Ministers

2 Mai 2013

2 May 2013

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