

# HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 30 Mehefin 2017  
Tabled on 30 June 2017

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

**Alun Davies**

1

Section 4, page 4, after line 18, insert—

‘() The code may include guidance about the exercise of functions under this Part and about any other matter connected with identifying and meeting additional learning needs.’.

Adran 4, tudalen 4, ar ôl llinell 18, mewnosoder—

‘() Caiff y cod gynnwys canllawiau ynghylch arfer swyddogaethau o dan y Rhan hon ac ynghylch unrhyw fater arall sy'n gysylltiedig â nodi a diwallu anghenion dysgu ychwanegol.’.

**Alun Davies**

2

Section 4, page 4, line 19, leave out ‘code may include guidance relating to the exercise of the functions of the following persons under this Part’ and insert ‘following persons must, when exercising functions under this Part, have regard to any relevant guidance contained in the code’.

Adran 4, tudalen 4, llinell 19, hepgorer ‘Caiff y cod gynnwys canllawiau sy'n ymwneud ag arfer swyddogaethau'r personau a ganlyn o dan y Rhan hon’ a mewnosoder ‘Rhaid i'r personau a ganlyn, wrth arfer swyddogaethau o dan y Rhan hon, roi sylw i unrhyw ganllawiau perthnasol sydd wedi eu cynnwys yn y cod’.

**Alun Davies**

3

Section 4, page 4, leave out lines 25 to 27.

Adran 4, tudalen 4, hepgorer llinellau 25 hyd at 27.



**Alun Davies** 4

Section 4, page 4, after line 36, insert –

- '() For provision about local authorities requiring certain providers of nursery education to have regard to guidance contained in the code, see section 153 of the Education Act 2002 (c. 32).'

Adran 4, tudalen 4, ar ôl llinell 37, mewnosoder –

- '() Gweler adran 153 o Ddeddf Addysg 2002 (p. 32) am ddarpariaeth ynghylch awdurdodau lleol yn ei gwneud yn ofynnol i ddarparwyr penodol addysg feithrin roi sylw i ganllawiau sydd wedi eu cynnwys yn y cod.'

**Alun Davies** 5

Section 4, page 5, line 1, leave out subsection (3).

Adran 4, tudalen 5, llinell 1, hepgorer is-adran (3).

**Alun Davies** 6

Section 4, page 5, line 21, leave out '(3)' and insert '(2)'.

Adran 4, tudalen 5, llinell 20, hepgorer '(3)' a mewnosoder '(2)'.

**Alun Davies** 7

Section 5, page 6, line 5, leave out subsection (3) and insert –

- '() The Welsh Ministers must not issue a code unless a draft of it is approved by a resolution of the National Assembly for Wales.'

Adran 5, tudalen 6, llinell 5, hepgorer is-adran (3) a mewnosoder –

- '() Ni chaiff Gweinidogion Cymru ddyroddi cod oni bai bod drafft ohono wedi ei gymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru.'

**Alun Davies** 8

Section 5, page 6, line 8, leave out 'no such resolution is made before the end of that period' and insert 'the National Assembly for Wales resolves to approve a draft of the code'.

Adran 5, tudalen 6, llinell 8, hepgorer 'na wneir penderfyniad o'r fath cyn diwedd y cyfnod hwnnw' a mewnosoder 'yw Cynulliad Cenedlaethol Cymru yn penderfynu cymeradwyo drafft o'r cod'.

**Alun Davies** 9

Section 5, page 6, line 16, leave out subsection (6).

Adran 5, tudalen 6, llinell 16, hepgorer is-adran (6).



**Alun Davies** **10**

Section 14, page 13, line 21, after 'age', insert '(within the meaning given by section 8 of the Education Act 1996 (c. 56))'.

Adran 14, tudalen 13, llinell 21, ar ôl 'gorfodol', mewnosoder '(o fewn yr ystyr a roddir i "compulsory school age" gan adran 8 o Ddeddf Addysg 1996 (p. 56))'.

**Alun Davies** **11**

Section 17, page 15, line 5, leave out 'unless either of the circumstances in subsection (3) apply.'

(3) The circumstances are –

- (a) the child is in the area of a local authority in England;
- (b) the child is ordinarily resident outside England and Wales.'

and insert 'if the child is in the area of a local authority in Wales.'

Adran 17, tudalen 15, llinell 5, hepgorer 'oni bai bod unrhyw un neu ragor o'r amgylchiadau yn is-adran (3) yn gymwys.

(3) Yr amgylchiadau yw –

- (a) bod y plentyn yn ardal awdurdod lleol yn Lloegr;
- (b) bod y plentyn yn preswyllo fel arfer y tu allan i Gymru a Lloegr.'

a mewnosoder 'os yw'r plentyn yn ardal awdurdod lleol yng Nghymru.'

**Alun Davies** **12**

Section 29, page 24, line 24, after '13))', insert –  
, or

- ( ) he or she ceases to be in the area of a local authority in Wales'.

Adran 29, tudalen 24, llinell 26, ar ôl '13))', mewnosoder –  
, neu

- ( ) os yw'n peidio â bod yn ardal awdurdod lleol yng Nghymru'.

**Alun Davies** **13**

Section 29, page 24, line 31, leave out 'decides'.

Adran 29, tudalen 24, llinell 33, hepgorer 'yn penderfynu'.

**Alun Davies** **14**

Section 29, page 24, at the beginning of line 32, insert 'decides'.

Adran 29, tudalen 24, ar ddechrau llinell 34, mewnosoder 'yn penderfynu'.



**Alun Davies** **15**

Section 29, page 24, line 33, leave out 'it is no longer necessary to maintain it, having regard to' and insert 'decides in accordance with regulations that it is no longer necessary to maintain it to meet'.

Adran 29, tudalen 24, llinell 36, hepgorer 'nad oes angen cynnal y cynllun mwyach, gan roi sylw i' a mewnosoder 'yn penderfynu yn unol â rheoliadau nad oes angen cynnal y cynllun mwyach i ddiwallu'.

**Alun Davies** **16**

Section 33, page 27, line 20, leave out '(c)' and insert '(a) and (b)'.

Adran 33, tudalen 27, llinell 20, hepgorer '(c)' a mewnosoder '(a) a (b)'.

**Alun Davies** **17**

Section 45, page 34, line 32, leave out '(d)' and insert '(c)'.

Adran 45, tudalen 34, llinell 34, hepgorer '(d)' a mewnosoder '(c)'.

**Alun Davies** **18**

Section 45, page 35, leave out line 3.

Adran 45, tudalen 35, hepgorer llinell 3.

**Alun Davies** **19**

Page 39, after line 5, insert a new section –

**[ ] Early years additional learning needs lead officer**

- (1) A local authority must designate an officer to have responsibility for co-ordinating the authority's functions under this Part in relation to children under compulsory school age who are not attending maintained schools.
- (2) An officer designated under this section is to be known as an "early years additional learning needs lead officer".'

Tudalen 39, ar ôl llinell 5, mewnosoder adran newydd –

**[ ] Swyddog arweiniol anghenion dysgu ychwanegol blynyddoedd cynnar**

- (1) Rhaid i awdurdod lleol ddynodi swyddog i fod â chyfrifoldeb am gydlynu swyddogaethau'r awdurdod o dan y Rhan hon mewn perthynas â phlant sydd o dan yr oedran ysgol gorfodol nad ydynt yn mynychu ysgolion a gynhelir.
- (2) Mae swyddog sydd wedi ei ddynodi o dan yr adran hon i gael ei alw'n "swyddog arweiniol anghenion dysgu ychwanegol blynyddoedd cynnar".'



**Alun Davies**

**20**

Section 85, page 56, line 25, after '12(1)(c)(ii)', insert '29(6)(b)',.

Adran 85, tudalen 56, llinell 24, ar ôl '12(1)(c)(ii)', mewnosoder '29(6)(b)',.

**Alun Davies**

**21**

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

*'Education Act 2002 (c. 32)*

[ ] (1) The Education Act 2002 is amended as follows.

(2) In section 153(2) (funded nursery education), after paragraph (a) insert –

“(ab) must make provision in the arrangements requiring the provider of the nursery education to have regard to any relevant guidance included in the code on additional learning needs issued under section 4 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017, and”’.

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

*'Deddf Addysg 2002 (p. 32)*

[ ] (1) Mae Deddf Addysg 2002 wedi ei diwygio fel a ganlyn.

(2) Yn adran 153(2) (addysg feithrin a gyllidir), ar ôl paragraff (a) mewnosoder –

“(ab) must make provision in the arrangements requiring the provider of the nursery education to have regard to any relevant guidance included in the code on additional learning needs issued under section 4 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017, and”’.

