



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2005 Rhif 2910 (Cy.207) (C.124)**

**2005 No. 2910 (W.207) (C.124)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Gorchymyn Deddf Addysg 2002  
(Cychwyn Rhif 7) (Cymru)  
2005**

**The Education Act 2002  
(Commencement No. 7) (Wales)  
Order 2005**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Order)*

Mae'r Gorchymyn hwn yn dwyn i rym ar 31 Hydref 2005 y darpariaethau hynny yn Neddf Addysg 2002 a bennir yn yr Atodlen i'r Gorchymyn hwn.

This Order brings into force on 31 October 2005 those provisions of the Education Act 2002 specified in the Schedule to this Order.

Mae'r cyfeiriadau isod at adrannau ac Atodlenni (heb fanylion pellach) yn gyfeiriadau at adrannau o Ddeddf Addysg 2002 ac Atodlenni iddi.

References below to sections and Schedules (without more) are references to sections of and Schedules to the Education Act 2002.

Yn achos darpariaethau sy'n cael eu dwyn i rym gan y Gorchymyn hwn ac sy'n diwygio deddfwriaeth sy'n bodoli eisoes, mae'r cyfeiriadau at yr Ysgrifennydd Gwladol yn y darpariaethau hynny i'w darllen, o ran Cymru, fel cyfeiriadau at Gynulliad Cenedlaethol Cymru- gweler adran 211.

In the case of provisions brought into force by this Order which amend existing legislation, references to the Secretary of State in those provisions are to be read, in relation to Wales, as references to the National Assembly for Wales- see section 211.

Mae effaith y darpariaethau a bennir yn yr Atodlen i'r Gorchymyn hwn fel a ganlyn-

The effect of the provisions specified in the Schedule to this Order is as follows-

Mae adrannau 19, 20, 23, 33, 34, 39 ac Atodlen 1 yn gwneud darpariaeth o ran llywodraethu ysgolion a gynhelir, gan ddisodli amryw o ddarpariaethau Deddf Safonau a Fframwaith Ysgolion 1998 ("Deddf 1998"). Mae adran 19 ac Atodlen 1 yn ei gwneud yn ofynnol i bob ysgol a gynhelir gael corff llywodraethu. Bydd rheoliadau a wneir gan y Cynulliad Cenedlaethol yn nodi'r gofynion sy'n ymwneud ag aelodaeth o gyrff llywodraethu a gweithdrefnau'r gyrff hynny.

Sections 19, 20, 23, 33, 34, 39 and Schedule 1 make provision in relation to the government of maintained schools, replacing various provisions of the School Standards and Framework Act 1998 ("the 1998 Act"). Section 19 and Schedule 1 require every maintained school to have a governing body. Regulations made by the National Assembly will, set out the requirements relating to the membership and procedures of governing bodies.

Mae adran 20 yn ei gwneud yn ofynnol i bob ysgol a gynhelir feddu ar offeryn llywodraethu sy'n pennu cyfansoddiad y corff llywodraethu a materion eraill ynglŷn â'r ysgol. Bydd Rheoliadau gan y Cynulliad Cenedlaethol yn nodi'r gofynion o ran gwneud offerynnau llywodraethu a chynnwys

Section 20 requires every maintained school to have an instrument of government which determines the constitution of the governing body and other matters relating to the school. National Assembly Regulations will set out the requirements as to the making and the content of instruments of

yr offerynnau hynny.

Mae adran 23 yn galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau sy'n caniatáu i gyrff llywodraethu gydweithio drwy gyflawni eu swyddogaethau ar y cyd neu drwy gydbwyllgorau.

O dan adran 33 rhaid i gorff llywodraethu gynnal cyfarfod blynyddol rhieni. Caiff y Cynulliad Cenedlaethol wneud rheoliadau sy'n nodi o dan ba amgylchiadau y mae corff llywodraethu yn esempt rhag cynnal cyfarfod.

Mae adran 34 yn nodi'r trefniadau ar gyfer llywodraethu ysgolion newydd. Mae'n ofynnol i'r AALl sefydlu corff llywodraethu dros dro. Nodir y manylion ynglŷn â'r trefniadau mewn rheoliadau a wneir gan y Cynulliad Cenedlaethol.

Mae adran 39 yn cynnwys diffiniadau. Yn benodol mae'r diffiniad o 'maintained school' yn cynnwys 'maintained nursery school'. Effaith hyn yw bod ysgolion meithrin a gynhelir i gael gyrff llywodraethu.

Mae cychwyn adran 52(11) yn golygu bod y darpariaethau ynghylch gwahardd disgyblion o ysgolion a gynhwysir yn adran 52 yn gymwys i ysgolion meithrin a gynhelir.

Mae adran 53 yn diwygio adran 63 o Ddeddf 1998 er mwyn caniatáu i'r Cynulliad gynnwys absenoldebau awdurdodedig yn y targedau y gellir ei gwneud yn ofynnol i gyrff llywodraethu eu pennu drwy reoliadau.

government.

Section 23 enables the National Assembly to make regulations allowing governing bodies to work together by discharging their functions jointly or through joint committees.

Under section 33 a governing body must hold an annual parents' meeting. The National Assembly may make regulations setting out the circumstances in which a governing body is exempt from holding a meeting.

Section 34 sets out the arrangements for the government of new schools. The LEA is required to constitute a temporary governing body. Details as to the arrangements will be set out in regulations made by the National Assembly.

Section 39 contains definitions. In particular the definition of 'maintained school' includes a 'maintained nursery school'. The effect of this is that maintained nursery schools are to have governing bodies.

Commencing section 52(11) means that the provisions relating to exclusion of pupils from schools contained in section 52 apply to maintained nursery schools.

Section 53 amends section 63 of the 1998 Act so as to allow the Assembly to include authorised absences in the targets that governing bodies can be required to set by regulations.

## **NODYN YNGHYLCH GORCHMYNION CYCHWYN CYNHARACH**

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

Mae darpariaethau canlynol Deddf Addysg 2002 wedi'u dwyn i rym o ran Cymru drwy orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

<i>Y ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>O.S. Rhif</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Adrannau 14 i 17	31 Mawrth 2003	2002/3185 (Cy.301)	Sections 14 to 17	31 March 2003	2002/3185 (W.301)
Adran 18(2)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 18(2)	31 March 2003	2002/3185 (W.301)
Adran (19)(6) (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	Section 19(6) (partially)	1 September 2003	2003/1718 (W.185)
Adrannau 21 a 22	1 Medi 2004	2004/1728 (Cy.172)	Sections 21 and 22	1 September 2004	2004/1728 (W.172)

## **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

The following provisions of the Education Act 2002 have been brought into force in relation to Wales by commencement order made before the date of this Order:

Adrannau 27 a 28	1 Medi 2003	2003/1718 (Cy.185)	Sections 27 and 28	1 September 2003	2003/1718 (W.185)
Adran 29	1 Medi 2003	2003/1718 (Cy.185)	Section 29	1 September 2003	2003/1718 (W.185)
Adran 30	1 Medi 2004	2004/1728 (Cy.172)	Section 30	1 September 2004	2004/1728 (W.172)
Adran 32	1 Medi 2004	2004/1728 (Cy.172)	Section 32	1 September 2004	2004/1728 (W.172)
Adran 39(1) (yn rhannol)	1 Medi 2004	2004/1728 (Cy.178)	Section 39(1) (partially)	1 September 2004	2004/1728 (W.178)
Adran 40 (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	Section 40 (partially)	1 September 2003	2003/1718 (W.185)
Adran 41	4 Rhagfyr 2003	2003/2961 (Cy.278)	Section 41	4 December 2003	2003/2961 (W.278)
Adran 42	4 Rhagfyr 2003	2003/2961 (Cy.278)	Section 42	4 December 2003	2003/2961 (W.278)
Adran 43	1 Tachwedd 2003	2003/1718 (Cy.185)	Section 43	1 November 2003	2003/1718 (W.185)
Adran 46	1 Rhagfyr 2003	2003/2961 (Cy.278)	Section 46	1 December 2003	2003/2961 (W.278)
Adran 49	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 49	19 December 2002	2002/3185 (W.301)
Adran 50	31 Mai 2005	2005/1395 (Cy.109)	Section 50	31 May 2005	2005/1395 (W.109)
Adran 51 (yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	Section 51 (partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)
(yn rhannol)	31 Mai 2005	2005/1395 (Cy.109)	(partially)	31 May 2005	2005/1395 (W.109)
Adran 52 (yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	Section 52 (partially)	9 January 2004	2003/2961 (W.278)
Adrannau 54 i 56	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 54 to 56	19 December 2002	2002/3185 (W.301)
Adrannau 60 i 64	1 Awst 2003	2003/1718 (Cy.185)	Sections 60 to 64	1 August 2003	2003/1718 (W.185)
Adran 72	1 Awst 2004	2004/1728 (Cy.172)	Section 72	1 August 2004	2004/1728 (W.172)
Adran 75 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 75 (partially)	19 December 2002	2002/3185 (W.301)
Adrannau 97 98	19 Rhagfyr 2002	2002/3185 a (Cy.301)	Sections 97 and 98	19 December 2002	2002/3185 (W.301)
Adran 99(1)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 99(1)	19 December 2002	2002/3185 (W.301)

Adran 100 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 100 (partially)	19 December 2002	2002/3185 (W.301)
Adran 101 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 101 (partially)	19 December 2002	2002/3185 (W.301)
Adran 103	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 103	19 December 2002	2002/3185 (W.301)
Adrannau 105 107	19 Rhagfyr 2002	2002/3185 i (Cy.301)	Sections 105 to 107	19 December 2002	2002/3185 (W.301)
Adran 108 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 108 (partially)	19 December 2002	2002/3185 (W.301)
Adran 109	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 109	19 December 2002	2002/3185 (W.301)
Adrannau 111 i 118	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 111 to 118	19 December 2002	2002/3185 W.301)
Adran 119	1 Hydref 2002	2002/2439	Section 119	1 October 2002	2002/2439
Adran 120(1) a (3) i (5)	1 Hydref 2002	2002/2439	Section 120(1) and (3) to (5)	1 October 2002	2002/2439
Adran 120(2)	1 Awst 2003	2003/1667	Section 120(2)	1 August 2003	2003/1667
Adran 121	1 Hydref 2002	2002/2439	Section 121	1 October 2002	2002/2439
Adrannau 122 i 129	1 Awst 2003	2003/1667	Section 122 to 129	1 August 2003	2003/1667
Adran 130 (yn rhannol)	1 Hydref 2002	2002/2439	Section 130 (partially)	1 October 2002	2002/2439
(yn llawn)	1 Awst 2003	2003/1667	(fully)	1 August 2003	2003/1667
Adran 131	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 131	19 December 2002	2002/3185 (W.301)
Adrannau 132 133	19 Rhagfyr 2002	2002/3185 a (Cy.301)	Sections 132 and 133	19 December 2002	2002/3185 (W.301)
Adran 134 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 134 (partially)	19 December 2002	2002/3185 (W.301)
Adran 135	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 135	19 December 2002	2002/3185 (W.301)
Adrannau 136 140	1 Medi 2003	2003/1718 i (Cy.185)	Sections 136 to 140	1 September 2003	2003/1718 (W.185)
Adran 141	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 141	19 December 2002	2002/3185 (W.301)
Adrannau 142 i 144	31 Mawrth 2003	2002/3185 (Cy.301)	Sections 142 to 144	31 March 2003	2002/3185 (W.301)
Adran 145	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 145	19 December 2002	2002/3185 (W.301)
Adran 146 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 146 (partially)	31 March 2003	2002/3185 (W.301)
Adran 148 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 148 (partially)	19 December 2002	2002/3185 (W.301)

Adran 149	31 Mawrth 2003	2002/3185 (Cy.301)	Section 149	31 March 2003	2002/3185 (W.301)
Adran 150	31 Mawrth 2003	2002/3185 (Cy.301)	Section 150	31 March 2003	2002/3185 (W.301)
Adran 151(2)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 151(2)	19 December 2002	2002/3185 (W.301)
Adran 152 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 152 (partially)	19 December 2002	2002/3185 (W.301)
Adran 154	31 Mawrth 2004	2004/912 (Cy.95)	Section 154	31 March 2004	2004/912 (W.95)
Adran 155	1 Medi 2004	2004/1728 (Cy.172)	Section 155	1 September 2004	2004/1728 (W.172)
Adran 156	31 Mawrth 2004	2004/912 (Cy.95)	Section 156	31 March 2004	2004/912 (W.95)
Adrannau 157 i 174	1 Ionawr 2004	2003/2961 (Cy.278)	Sections 157 to 174	1 January 2004	2003/2961 (W.278)
Adran 176	1 Medi 2004	2004/1728 (Cy.172)	Section 176	1 September 2004	2004/1728 (W.172)
Adran 177	1 Awst 2004	2004/912 (Cy.95)	Section 177	1 August 2004	2004/912 (W.95)
Adran 178(1) (4)	1 Awst 2003	2003/1718 a (Cy.185)	Section 178(1) and (4)	1 August 2003	2003/1718 (W.185)
Adran 179 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 179 (partially)	19 December 2002	2002/3185 (W.301)
Adran 180	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 180	19 December 2002	2002/3185 (W.301)
Adrannau 181 185	1 Medi 2003	2003/1718 i (Cy. 185)	Sections 181 to 185	1 September 2003	2003/1718 (W. 185)
Adran 188 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 188 (partially)	19 December 2002	2002/3185 (W.301)
(yn rhannol)	1 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	1 December 2003	2003/2961 (W.278)
Adran 189 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 189 (partially)	19 December 2002	2002/3185 (W.301)
Adrannau 191 i 194	19 Rhagfyr 2002	2002/3185 (Cy.301)	Sections 191 to 194	19 December 2002	2002/3185 (W.301)
Adran 195 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 195 (partially)	31 March 2003	2002/3185 (W.301)
(yn llawn)	1 Medi 2003	2002/3185 (Cy.301)	(fully)	1 September 2003	2002/3185 (W.301)
Adran 196	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 196	19 December 2002	2002/3185 (W.301)
Adran 197	1 Medi 2003	2003/1718 (Cy.185)	Section 197	1 September 2003	2003/1718 (W.185)

Adran 198	31 Mawrth 2004	2004/912 (Cy.95)	Section 198	31 March 2004	2004/912 (W.95)
Adran 199	1 Medi 2003	2003/1718 (Cy.185)	Section 199	1 September 2003	2003/1718 (W.185)
Adran 200	31 Mawrth 2003	2002/3185 (Cy.301)	Section 200	31 March 2003	2002/3185 (W.301)
Adran 201 (yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	Section 201 (partially)	31 March 2003	2002/3185 (W.301)
Adrannau 202 a 203	1 Medi 2003	2003/1718 (Cy.185)	Sections 202 and 203	1 September 2003	2003/1718 (W.185)
Adran 206	1 Medi 2003	2003/1718 (Cy.185)	Section 206	1 September 2003	2003/1718 (W.185)
Adrannau 207 a 208	9 Ionawr 2004	2003/2961 (Cy.278)	Section 207 and 208	9 January 2004	2003/2961 (W.278)
Adran 215 (yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Section 215 (partially)	19 December 2002	2002/3185 (W.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	(partially)	31 March 2003	2002/3185 (W.301)
(yn rhannol)	1 Awst 2003	2003/1718 (Cy.185) a 2003/1667	(partially)	1 August 2003	2003/1718 (W.185) and 2003/1667
(yn rhannol)	1 Medi 2003	2002/3185 (Cy.301) a 2003/1718 (Cy.185)	(partially)	1 September 2003	2002/3185 (W.301) and 2003/1718 (W.185)
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	4 December 2003	2003/2961 (W.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)	(partially)	1 January 2004	2003/2961 (W.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	(partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)
(yn rhannol)	1 Awst 2004	2004/912 (Cy.95) a 2004/1728 (Cy.172)	(partially)	1 August 2004	2004/912 (W.95) and 2004/1728 (W.172)
(yn rhannol)	1 Medi 2004	2004/1728 (Cy.172)	(partially)	1 September 2004	2004/1728 (W.172)
(yn rhannol)	31 Mai 2005	2005/1395 (Cy.109)	(partially)	31 May 2005	2005/1395 (W.109)
Atodlen 1, paragraff 3 (yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	Schedule 1, paragraff 3 (partially)	1 September 2003	2003/1718 (W.185)



Atodlen 3, paragraffau 1 i 5	1 Medi 2003	2003/1718 (Cy.185)	Schedule 3, paragraphs 1 to 5	1 September 2003	2003/1718 (W.185)
Atodlen 4, paragraffau 1 a 4	9 Ionawr 2004	2003/2961 (Cy.278)	Schedule 4, paragraphs 1 and 4	9 January 2004	2003/2961 (W.278)
Paragraffau 2, 3(1), (2), (3), (4), (5), (7), (8), 8, 9, 10, 11	31 Mai 2005	2005/1395 (Cy.109)	Paragraphs 2, 3(1), (2), (3), (4), (5), (7), (8), 8, 9, 10, 11	31 May 2005	2005/1395 (W.109)
Paragraff 12(1), (3) i (5)	31 Mawrth 2004	2004/912 (Cy.95)	Paragraph 12(1), (3) to (5)	31 March 2004	2004/912 (W.95)
Atodlen 5	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 5	19 December 2002	2002/3185 (W.301)
Atodlen 9	1 Awst 2004	2004/1728 (Cy.172)	Schedule 9	1 August 2004	2004/1728 (W.172)
Atodlen 10, paragraffau 1, 6, 11 a 15	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 10, paragraphs 1, 6, 11 and 15	19 December 2002	2002/3185 (W.301)
Atodlen 11	1 Hydref 2002	2002/2439	Schedule 11	1 October 2002	2002/2439
Atodlen 12, paragraffau 1, 2, 4(1) a (3), 6 a 7,	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 12, paragraphs 1, 2, 4(1) and (3), 6 and 7,	19 December 2002	2002/3185 (W.301)
Paragraff 12(1) a (2)	31 Mawrth 2003	2002/3185 (Cy.301)	Paragraph 12(1) and (2)	31 March 2003	2002/3185 (W.301)
Atodlen 13, paragraffau 1 i 3, 5, 6, 7(1) a (3) ac (8)	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 13, paragraphs 1 to 3, 5, 6, 7(1) and (3) and 8	19 December 2002	2002/3185 (W.301)
Atodlen 14, paragraffau 1 i 7	1 Medi 2004	2004/1728 (Cy.172)	Schedule 14, paragraphs 1 to 7	1 September 2004	2004/1728 (W.172)
Atodlen 16, paragraffau 1 i 3	1 Rhagfyr 2003	2003/2961 (Cy.278)	Schedule 16, paragraphs 1 to 3	1 December 2003	2003/2961 (W.278)
Paragraffau 4 i 9	19 Rhagfyr 2002	2002/3185 (Cy.301)	Paragraphs 4 to 9	19 December 2002	2002/3185 (W.301)
Atodlen 17, paragraffau 5(1) i (4), (6) a 6 i 8	19 Rhagfyr 2002	2002/3185 (Cy.301)	Schedule 17, paragraphs 5(1) to (4), (6) and 6 to 8	19 December 2002	2002/3185 (W.301)
Atodlen 18, paragraffau 1, 4, 5 a 7,	31 Mawrth 2003	2002/3185 (Cy.301)	Schedule 18, paragraphs 1, 4, 5 and 7,	31 March 2003	2002/3185 (W.301)
Paragraff 8 (yn rhannol),	31 Mawrth 2003	2002/3185 (Cy.301)	Paragraph 8 (partially),	31 March 2003	2002/3185 (W.301)
Paragraffau 13 i 15,	31 Mawrth 2003	2002/3185 (Cy.301)	Paragraphs 13 to 15,	31 March 2003	2002/3185 (W.301)

Paragraffau 2, 3, 6, 8 (yn llawn), 9 i 12 ac 16 i 18	1 Medi 2003	2002/3185 (Cy.301)	Paragraphs 2, 3, 6, 8 (fully), 9 to 12 and 16 to 18	1 September 2003	2002/3185 (W.301)
Atodlen 19	1 Medi 2003	2003/1718 (Cy.185)	Schedule 19	1 September 2003	2003/1718 (W.185)
Atodlen 20	1 Medi 2003	2003/1718 (Cy.185)	Schedule 20	1 September 2003	2003/1718 (W.185)
Atodlen 21 (yn rhannol)	1 Hydref 2002	2002/2439	Schedule 21 (partially)	1 October 2002	2002/2439
(yn rhannol)	19 Rhagfyr 2002	2002/3185 (Cy.301)	(partially)	19 December 2002	2002/3185 (W.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	(partially)	31 March 2003	2002/3185 (W.301)
(yn rhannol)	1 Awst 2003	2003/1667	(partially)	1 August 2003	2003/1667
(yn rhannol)	1 Medi 2003	2003/1718 (Cy.185)	(partially)	1 September 2003	2003/1718 (W.185)
(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	4 December 2003	2003/2961 (W.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)	(partially)	1 January 2004	2003/2961 (W.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	(partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)
(yn rhannol)	1 Awst 2004	2004/1728 (Cy.172)	(partially)	1 August 2004	2004/1728 (W.172)
(yn rhannol)	1 Medi 2004	2004/1728 (Cy.172)	(partially)	1 September 2004	2004/1728 (W.172)
(yn rhannol)	31 Mai 2005	2005/1395 (Cy.109)	(partially)	31 May 2005	2005/1395 (W.109)
Atodlen 22 (yn rhannol)	1 Hydref 2002	2002/2439	Schedule 22 (partially)	1 October 2002	2002/2439
(yn rhannol)	9 Rhagfyr 2002	2002/3185 (Cy.301)	(partially)	9 December 2002	2002/3185 (W.301)
(yn rhannol)	31 Mawrth 2003	2002/3185 (Cy.301)	(partially)	31 March 2003	2002/3185 (W.301)
(yn rhannol)	1 Awst 2003	2003/1718 (Cy.185)	(partially)	1 August 2003	2003/1718 (W.185)
(yn rhannol)	1 Medi 2003	2002/3185 (Cy.301), 2003/1718 (Cy.185) a 2003/1667	(partially)	1 September 2003	2002/3185 (W.301), 2003/1718 (W.185) and 2003/1667



(yn rhannol)	4 Rhagfyr 2003	2003/2961 (Cy.278)	(partially)	4 December 2003	2003/2961 (W.278)
(yn rhannol)	1 Ionawr 2004	2003/2961 (Cy.278)	(partially)	1 January 2004	2003/2961 (W.278)
(yn rhannol)	9 Ionawr 2004	2003/2961 (Cy.278)	(partially)	9 January 2004	2003/2961 (W.278)
(yn rhannol)	31 Mawrth 2004	2004/912 (Cy.95)	(partially)	31 March 2004	2004/912 (W.95)
(yn rhannol)	1 Awst 2004	2004/912 (Cy.95)	(partially)	1 August 2004	2004/912 (W.95)
(yn rhannol)	1 Medi 2004	2004/1728 (Cy.172)	(partially)	1 September 2004	2004/1728 (W.172)
(yn rhannol)	31 Mai 2005	2005/1395 (Cy.109)	(partially)	31 May 2005	2005/1395 (W.109)

Mae amryw o ddarpariaethau Deddf Addysg 2002 wedi'u dwyn i rym o ran Lloegr gan yr Offerynnau Statudol canlynol: O.S. 2002/2002 (fel y'i diwygiwyd gan O.S. 2002/2018), O.S. 2002/2439 (fel y'i diwygiwyd gan O.S. 2003/606 (wedi'i ddirymu) a 2003/2992), O.S. 2002/2952, O.S. 2003/124, O.S. 2003/1115, O.S. 2003/1667, O.S. 2003/2071 ac O.S. 2004/1318.

Various provisions of the Education Act 2002 have been brought into force in relation to England by the following Statutory Instruments: S.I. 2002/2002 (as amended by S.I. 2002/2018), S.I. 2002/2439 (as amended by S.I. 2003/606 (revoked) and 2003/2992), S.I. 2002/2952, S.I. 2003/124, S.I. 2003/1115, S.I. 2003/1667, S.I. 2003/2071 and S.I. 2004/1318.

**2005 Rhif 2910 (Cy.207) (C.124)****2005 No. 2910 (W.207) (C.124)****ADDYSG, CYMRU****EDUCATION, WALES****Gorchymyn Deddf Addysg 2002  
(Cychwyn Rhif 7) (Cymru)  
2005****The Education Act 2002  
(Commencement No. 7) (Wales)  
Order 2005***Wedi'i wneud* 18 Hydref 2005*Made* 18 October 2005*Yn dod i rym* 31 Hydref 2005*Coming into force* 31 October 2005

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵer a roddwyd iddo gan adran 216(4)(b) a (5) o Ddeddf Addysg 2002(1), drwy hyn yn gwneud y Gorchymyn canlynol:

The National Assembly for Wales, in exercise of the power conferred upon it by section 216 (4)(b) and (5) of the Education Act 2002(1), hereby makes the following Order:

**Enwi, cymhwyso a dehongli****Title, application and interpretation**

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 7) (Cymru) 2005.

1. The title of this Order is the Education Act 2002 (Commencement No.7) (Wales) Order 2005.

2. Mae'r darpariaethau sy'n cael eu dwyn i rym gan y Gorchymyn hwn yn cael eu dwyn i rym o ran Cymru.

2. Provisions brought into force by this Order are brought into force in relation to Wales.

3. Yn y Gorchymyn hwn, oni nodir fel arall, mae cyfeiriadau at adrannau ac Atodlenni yn gyfeiriadau at adrannau o Ddeddf Addysg 2002 ac Atodlenni iddi.

3. In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the Education Act 2002.

**Diwrnod penodedig****Appointed day**

4. 31 Hydref 2005 yw'r diwrnod penodedig i'r darpariaethau a bennir yn yr Atodlen i'r Gorchymyn hwn ddod i rym.

4. The day appointed for the coming into force of the provisions specified in the Schedule to this Order is 31 October 2005.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

18 Hydref 2005

18 October 2005

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) 2002 p.32.

(1) 2002 c.32.

(2) 1998 p.38.

(2) 1998 c.38.

## YR ATODLEN

## THE SCHEDULE

Erthygl 4

Article 4

Darpariaethau sy'n dod i rym ar 31 Hydref 2005

Provisions coming into force on 31 October 2005

<i>Y ddarpariaeth</i>	<i>Y pwnc</i>
Adran 19(1) i (7)	Cyrff llywodraethu
Adran 20(1) i (3), (5)	Offerynnau llywodraethu
Adran 23	Clerc y corff llywodraethu
Adran 33	Cyfarfodydd blynyddol rhieni
Adran 34	Trefniadau ar gyfer llywodraethu ysgolion newydd
Adran 39	Dehongli Pennod 1
Adran 52(11)	Gwahardd disgyblion
Adran 53	Targedau presenoldeb
Adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 21 isod	Mân ddiwygiadau a diwygiadau canlyniadol
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau
Atodlen 1 i'r graddau nad yw eisoes mewn grym	Ymgorffori Corff Llywodraethu a Phwerau Corff Llywodraethu
Atodlen 21	Mân Ddiwygiadau a Diwygiadau Canlyniadol
Paragraff 12;	
Paragraffau 23 a 25;	
Paragraff 26;	
Paragraff 27(3);	
Paragraff 28;	
Paragraff 29;	
Paragraffau 35 i 38;	
Paragraff 39(2) i (4);	

<i>Provision</i>	<i>Subject matter</i>
Section 19(1) to (7)	Governing bodies
Section 20(1) to (3), (5)	Instruments of government
Section 23	Clerk to the governing body
Section 33	Annual parents' meetings
Section 34	Arrangements for government of new schools
Section 39	Interpretation of Chapter 1
Section 52(11)	Exclusion of pupils
Section 53	Attendance targets
Section 215(1) in so far as it relates to the provisions of Schedule 21 below	Minor and consequential amendments
Section 215(2) in so far as it relates to the provisions of Schedule 22 below	Repeals
Schedule 1 in so far as not already in force	Incorporation and Powers of Governing Body
Schedule 21	Minor and Consequential Amendments
Paragraph 12;	
Paragraphs 23 and 25;	
Paragraph 26;	
Paragraph 27(3);	
Paragraph 28;	
Paragraph 29;	
Paragraphs 35 to 38;	
Paragraph 39(2) to (4);	

Paragraffau 40 i 44;	
Paragraff 50;	
Paragraff 52;	
Paragraff 57 i'r graddau nad yw eisoes mewn grym;	
Paragraff 58;	
Paragraff 59 i'r graddau nad yw eisoes mewn grym;	
Paragraffau 60 i 62;	
Paragraff 63 i'r graddau nad yw eisoes mewn grym;	
Paragraffau 64 a 65;	
Paragraff 67;	
Paragraff 92 i 94;	
Paragraff 98(3);	
Paragraff 99(2) a (3)(a);	
Paragraffau 101 i 103;	
Paragraff 106;	
Paragraff 110(2);	
Paragraff 110(3)(b) i'r graddau y mae'n ymwneud â pharagraff (h) is-adran (6) o adran 127 o Ddeddf Safonau a Fframwaith Ysgolion 1998;	
Paragraff 110(3)(c) ac eithrio o ran paragraffau (n), (o), (p) a (q) newydd is-adran (6) o adran 127 o Ddeddf Safonau a Fframwaith Ysgolion 1998;	
Paragraff 112 i'r graddau nad yw eisoes mewn grym;	
Paragraff 113 i'r graddau nad yw eisoes mewn grym;	
Paragraff 118(6);	
Paragraff 127.	

Paragraphs 40 to 44;	
Paragraph 50;	
Paragraph 52;	
Paragraph 57 in so far as not already in force;	
Paragraph 58;	
Paragraph 59 in so far as not already in force;	
Paragraphs 60 to 62;	
Paragraph 63 in so far as it is not already in force;	
Paragraphs 64 and 65;	
Paragraph 67;	
Paragraphs 92 to 94;	
Paragraphs 98(3);	
Paragraph 99(2) and (3)(a);	
Paragraphs 101 to 103;	
Paragraph 106;	
Paragraph 110(2);	
Paragraph 110(3)(b) in so far as it relates to paragraph (h) of subsection (6) of section 127 of the School Standards and Framework Act 1998;	
Paragraph 110(3)(c) except in relation to the new paragraphs (n), (o), (p) and (q) of subsection (6) of section 127 of the School Standards and Framework Act 1998;	
Paragraph 112 in so far as not already in force;	
Paragraph 113 in so far as not already in force;	
Paragraph 118(6);	
Paragraph 127.	

Atodlen 22, Rhan 3, diddymu-	Diddymiadau
Deddf Addysg 1994(1), adran 4(4);	
Deddf Gwahaniaethu ar sail Anabledd 1995(2), Yn Atodlen 4A, yn y Tabl ym mharagraff 1, paragraff 3;	
Deddf Addysg 1996(3), adran 29(6), yn adran 316A (11)(b) y geiriau "a maintained nursery school or", yn adran 317 is-adran (3)(b) a'r gair "and" sy'n dod o'i blaen, yn adran 329A (13)(a), y geiriau "a maintained nursery school or";	
Deddf Arolygiadau Ysgolion 1996(4), yn adran 11(5), paragraff (b), yn adran 15(4)(c) y geiriau "except where the school is a maintained nursery school", yn adran 21, yn is-adran (3)(b) y geiriau "except in the case of a maintained nursery school", yn Atodlen 3, yn y diffiniad o "appropriate authority" ym mharagraff 1, paragraff (b);	
Deddf Safonau a Fframwaith Ysgolion 1998(5), adrannau 36 a 37 adran 43, adran 44, yn adran 63, yn is-adrannau (1) a (3) y	

Schedule 22, Part 3, the repeal of-	Repeals
Education Act 1994(1), section 4(4);	
Disability Discrimination Act 1995(2), in Schedule 4A, in the Table in paragraph 1, paragraph 3;	
Education Act 1996(3), section 29(6), in section 316A (11)(b) the words "a maintained nursery school or", in section 317 subsection (3)(b) and the word "and" preceding it, in section 329A (13)(a), the words " a maintained nursery school or";	
School Inspections Act 1996(4), in section 11(5), paragraph (b), in section 15(4)(c) the words "except where the school is a maintained nursery school", in section 21, in subsection (3)(b) the words "except in the case of a maintained nursery school", in Schedule 3, in the definition of "appropriate authority" in paragraph 1, paragraph (b);	
School Standards and Framework Act 1998(5). sections 36 and 37, section 43, section 44, in section 63, in subsections (1) and (3) the word "unauthorised" and, in subsection (4),	

(1) 1994 p.30.

(2) 1995 p.50.

(3) 1996 p.56.

(4) 1996 p.57.

(5) 1998 p.31.

(1) 1994 c.30.

(2) 1995 c.50.

(3) 1996 c.56.

(4) 1996 c.57.

(5) 1998 c.31.

<p>gair "unauthorised" ac, yn is-adran (4), y diffiniad o "unauthorised absence", adran 127(6)(h), yn adran 138, yn is-adran (2)(b), y geiriau "paragraph 3(5) or 4 of Schedule 10", Atodlenni 9 a 10, Atodlen 11 i'r graddau nad yw eisoes wedi'i diddymu, Atodlen 12.</p>		<p>the definition of "unauthorised absence", section 127(6)(h), in section 138, in subsection (2)(b), the words "paragraph 3(5) or 4 of Schedule 10", Schedules 9 and 10, Schedule 11 in so far as not already repealed, Schedule 12.</p>	
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OFFERYNNAU STATUDOL

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**2005 Rhif 2910 (Cy.207) (C.124)**

**ADDYSG, CYMRU**

Gorchymyn Deddf Addysg 2002  
(Cychwyn Rhif 7) (Cymru)  
2005

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STATUTORY INSTRUMENTS

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**2005 No. 2910 (W.207) (C.124)**

**EDUCATION, WALES**

The Education Act 2002  
(Commencement No. 7) (Wales)  
Order 2005

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