



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2021 Rhif 373 (Cy. 116) (C. 12)**

**2021 No. 373 (W. 116) (C. 12)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Gorchymyn Deddf Anghenion  
Dysgu Ychwanegol a'r Tribiwnlys  
Addysg (Cymru) 2018 (Cychwyn  
Rhif 2) 2021**

**The Additional Learning Needs and  
Education Tribunal (Wales) Act  
2018 (Commencement No. 2) Order  
2021**

**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 ddarpariaethau yn Neddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 ("y Ddeddf").

This Order brings into force provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 ("the Act").

Mae'r Ddeddf yn sefydlu fframwaith statudol ar gyfer cefnogi plant a phobl ifanc ag anghenion dysgu ychwanegol. Mae hyn yn disodli'r ddeddfwriaeth sy'n ymwneud ag anghenion addysgol arbennig ac asesu plant a phobl ifanc ag anawsterau dysgu.

The Act establishes a statutory framework for supporting children and young people with additional learning needs. This replaces the legislation surrounding special educational needs and the assessment of children and young people with learning difficulties.

Daw'r darpariaethau a restrir yn erthygl 3 i rym ar 1 Medi 2021 mewn perthynas â phersonau penodol. Mae'r Gorchymyn yn gwneud hyn drwy eithrio o'r cychwyn hwnnw bersonau sy'n dod o fewn categori a nodir yn erthygl 4 ar 1 Medi 2021. Mae'r categorïau sydd wedi eu heithrio yn cynnwys y rheini sy'n hŷn na'r oedran ysgol gorfodol a'r rheini sy'n ymwneud â'r fframwaith statudol presennol. Mae hyn yn cynnwys y rheini sydd ag anghenion addysgol arbennig a nodwyd (gweler erthygl 2).

The provisions listed in article 3 come into force on 1 September 2021 in relation to certain persons. The Order does this by excepting from that commencement persons who fall into a category set out in article 4 on 1 September 2021. The categories excepted include those over compulsory school age and those engaged with the current statutory framework. This includes those who have identified special educational needs (see article 2).

Daw'r darpariaethau a restrir yn erthygl 5 (darpariaeth ddysgu ychwanegol ar gyfer personau sy'n cael eu cadw'n gaeth) i rym ar 1 Medi 2021 ar gyfer y rheini nad ydynt yn hŷn na'r oedran ysgol gorfodol.

The provisions listed in article 5 (additional learning provision for detained persons) come into force on 1 September 2021 for those who are not over compulsory school age.

Daw'r darpariaethau a restrir yn erthygl 6 hefyd i rym ar 1 Medi 2021 ar gyfer personau y mae cynllun datblygu unigol yn cael ei lunio neu ei gadw o dan adran 40 neu 42 o'r Ddeddf mewn perthynas â hwy.

The provisions listed in article 6 also come into force on 1 September 2021 for persons in relation to whom an individual development plan is being prepared or kept under section 40 or 42 of the Act.

Daw'r darpariaethau a restrir yn erthygl 8 i rym yn llawn ar 1 Medi 2021.

The provisions listed in article 8 will come into force fully on 1 September 2021.

**NODYN AM Y GORCHMYNION CYCHWYN  
CYNHARACH**

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym drwy Orchymyn Cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

**NOTE AS TO EARLIER COMMENCEMENT**

The following provisions of the Act have been brought into force by Commencement Order made before the date of this Order:

<i>Y Ddarpariaeth</i>	<i>Y Cychwyn</i>	<i>Dyddiad Rhif O.S.</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Adran 4 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 4 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 5	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 5	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 7 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 7 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 8 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 8 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 15	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 15	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 16 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 16 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 21 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 21 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 32 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 32 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 36 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 36 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 37	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 37	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 39	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 39	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 45	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 45	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 46	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 46	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 47 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 47 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 54 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 54 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 56 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 56 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 56(1)	4 Ionawr 2021	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 56(1)	4 January 2021	S.I. 2020/1182 (W. 267)(C. 33)
Adran 56(4) i (6)	4 Ionawr 2021	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 56(4) to (6)	4 January 2021	S.I. 2020/1182 (W. 267)(C. 33)
Adran 60	4 Ionawr 2021	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 60	4 January 2021	S.I. 2020/1182 (W. 267)(C. 33)
Adran 61	4 Ionawr 2021	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 61	4 January 2021	S.I. 2020/1182 (W. 267)(C. 33)
Adran 62	4 Ionawr 2021	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 62	4 January 2021	S.I. 2020/1182 (W. 267)(C. 33)
Adran 65 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 65 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 67	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 67	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)

Adran 74	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 74	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 75 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 75 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 76 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 76 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 77 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 77 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 82	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 82	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 83 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 83 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 85 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 85 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 91 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 91 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 92 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 92 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 95 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 95 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Adran 96 (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	Section 96 (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)
Yr Atodlen, paragraff 19(1), (4) a (5)(g) ac (h) (yn rhannol)	2 Tachwedd 2020	O.S. 2020/1182 (Cy. 267)(C. 33)	The Schedule, paragraph 19(1),(4) and (5)(g) and (h) (partially)	2 November 2020	S.I. 2020/1182 (W. 267)(C. 33)

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Gorchymyn Deddf Anghenion  
Dysgu Ychwanegol a'r Tribiwnlys  
Addysg (Cymru) 2018 (Cychwyn  
Rhif 2) 2021

The Additional Learning Needs and  
Education Tribunal (Wales) Act  
2018 (Commencement No. 2) Order  
2021

*Gwnaed*

*22 Mawrth 2021*

*Made*

*22 March 2021*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 100(3) a (4) o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by section 100(3) and (4) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(1), make the following Order:

**Enwi a dehongli**

**Title and interpretation**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018 (Cychwyn Rhif 2) 2021.

1.—(1) The title of this Order is the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 2) Order 2021.

(2) Yn y Gorchymyn hwn—

(2) In this Order—

mae i “anhawster dysgu” yr un ystyr â “learning difficulty” yn—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996(2);

(i) adran 312(2) o Ddeddf 1996—

“the 2014 Act” (“*Deddf 2014*”) means the Children and Families Act 2014(3);

(aa) mewn perthynas â phlentyn yn ardal awdurdod lleol yng Nghymru ond nid plentyn sy'n ddisgybl cofrestredig mewn ysgol brif ffrwd yn Lloegr,

“the Act” (“*y Ddeddf*”) means the Additional Learning Needs and Education Tribunal (Wales) Act 2018;

(bb) mewn perthynas â phlentyn yn ardal awdurdod lleol yn Lloegr sy'n ddisgybl cofrestredig mewn ysgol a gynhelir yng Nghymru, fel pe bai “in the area of a local authority in Wales” wedi ei hepgor,

“compulsory school age” (“*oedran ysgol gorfodol*”) has the same meaning as in section 8(4) of the 1996 Act;

“EHC plan” (“*cynllun AIG*”) has the same meaning as in section 37(2) of the 2014 Act;

(ii) adran 20 o Ddeddf 2014 mewn perthynas â phlentyn yn ardal awdurdod lleol yng Nghymru sy'n ddisgybl cofrestredig mewn ysgol brif ffrwd yn Lloegr;

“EHC needs assessment” (“*asesiad o anghenion AIG*”) has the same meaning as in section 36(2) of the 2014 Act;

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(1) 2018 decc 2.

(1) 2018 anaw 2.

(2) 1996 c. 56.

(3) 2014 c. 6.

(4) Section 8 was amended by section 52 of the Education Act 1997 (c. 44).

mae i “asesiad o anghenion AIG” yr un ystyr ag “EHC needs assessment” yn adran 36(2) o Ddeddf 2014;

mae i “awdurdod lleol” yr un ystyr â “local authority” yn adran 579 o Ddeddf 1996;

mae i “cynllun AIG” yr un ystyr ag “EHC Plan” yn adran 37(2) o Ddeddf 2014;

mae i “darpariaeth addysgol arbennig” yr un ystyr â “special educational provision” yn—

(iii) adran 312(4) o Ddeddf 1996—

(aa) mewn perthynas â phlentyn yn ardal awdurdod lleol yng Nghymru ond nid plentyn sy’n ddisgybl cofrestredig mewn ysgol brif ffrwd yn Lloegr,

(bb) mewn perthynas â phlentyn yn ardal awdurdod lleol yn Lloegr sy’n ddisgybl cofrestredig mewn ysgol a gynhelir yng Nghymru fel pe bai “in relation to a child in the area of a local authority in Wales” wedi ei hepgor,

(iv) adran 21 o Ddeddf 2014 mewn perthynas â phlentyn yn ardal awdurdod lleol yng Nghymru sy’n ddisgybl cofrestredig mewn ysgol brif ffrwd yn Lloegr;

ystyr “Deddf 1996” (“*the 1996 Act*”) yw Deddf Addysg 1996(1);

ystyr “Deddf 2014” (“*the 2014 Act*”) yw Deddf Plant a Theuluoedd 2014(2);

mae i “disgybl cofrestredig” yr un ystyr â “registered pupil” yn adran 434 o Ddeddf 1996;

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2018;

mae i “oedran ysgol gorfodol” yr un ystyr â “compulsory school age” yn adran 8(3) o Ddeddf 1996;

mae i “perchennog” yr un ystyr â “proprietor” yn adran 579 o Ddeddf 1996;

ystyr “Rheolau’r Tribiwnlys” (“*Tribunal Rules*”) yw Rheoliadau Tribiwnlys Anghenion Addysgol Arbennig Cymru 2012(4);

“in the area of a local authority in England” (“*yn ardal awdurdod lleol yn Lloegr*”) has the same meaning as in section 579(3A) of the 1996 Act;

“in the area of a local authority in Wales” (“*yn ardal awdurdod lleol yng Nghymru*”) has the same meaning as in section 579(3B) of the 1996 Act;

“learning difficulty” (“*anhawster dysgu*”) has the same meaning as in—

(i) section 312(2) of the 1996 Act—

(aa) in relation to a child in the area of a local authority in Wales but not a child who is a registered pupil at a mainstream school in England,

(bb) in relation to a child in the area of a local authority in England who is a registered pupil at a maintained school in Wales, as if “in the area of a local authority in Wales” were omitted,

(ii) section 20 of the 2014 Act in relation to a child in the area of a local authority in Wales who is a registered pupil at a mainstream school in England;

“local authority” (“*awdurdod lleol*”) has the same meaning as in section 579 of the 1996 Act;

“mainstream school” (“*ysgol brif ffrwd*”) has the same meaning as in section 83(2) of the 2014 Act;

“maintained school” (“*ysgol a gynhelir*”) means any community, foundation or voluntary school or any community special school not established in a hospital within the meaning of the School Standards and Framework Act 1998(1);

“proprietor” (“*perchennog*”) has the same meaning as in section 579 of the 1996 Act;

“registered pupil” (“*disgybl cofrestredig*”) has the same meaning as in section 434 of the 1996 Act;

“special educational provision” (“*darpariaeth addysgol arbennig*”) has the same meaning as in—

(i) section 312(4) of the 1996 Act—

(aa) in relation to a child in the area of a local authority in Wales but not a child who is a registered pupil at a mainstream school in England,

(bb) in relation to a child in the area of a local authority in England who is a registered pupil at a maintained school in Wales as if “in relation to a child in the area of a local authority in Wales” were omitted,

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(1) 1996 p. 56.

(2) 2014 p. 6.

(3) Diwygiwyd adran 8 gan adran 52 o Ddeddf Addysg 1997 (p. 44).

(4) O.S. 2012/322 (Cy. 53).

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(1) 1998 c. 31.

ystyr “Tribiwnlys” (“*Tribunal*”) yw Tribiwnlys Addysg Cymru(1);

mae i “yn ardal awdurdod lleol yng Nghymru” yr un ystyr ag “in the area of a local authority in Wales” yn adran 579(3B) o Ddeddf 1996;

mae i “yn ardal awdurdod lleol yn Lloegr” yr un ystyr ag “in the area of a local authority in England” yn adran 579(3A) o Ddeddf 1996;

ystyr “ysgol a gynhelir” (“*maintained school*”) yw unrhyw ysgol gymunedol, ysgol sefydledig neu ysgol wirfoddol neu unrhyw ysgol arbennig gymunedol nad yw wedi ei sefydlu mewn ysbyty o fewn ystyr Deddf Safonau a Fframwaith Ysgolion 1998(2);

mae i “ysgol brif ffrwd” yr un ystyr â “mainstream school” yn adran 83(2) o Ddeddf 2014.

(3) At ddibenion y Gorchymyn hwn dyfernir yn derfynol ar apêl—

- (a) os caiff penderfyniad ei wneud gan dribiwnlys neu lys ar yr apêl, a
- (b) os caniateir gwneud cais i adolygu'r penderfyniad neu os caniateir ei apelio ymhellach, daw'r cyfnod (neu bob un o'r cyfnodau) ar gyfer gwneud hynny i ben heb fod cais am adolygiad wedi ei wneud neu apêl bellach wedi ei dwyn.

### Ystyr anghenion addysgol arbennig a nodwyd

2. Mae gan blentyn “P” “anghenion addysgol arbennig a nodwyd” at ddibenion y Gorchymyn hwn os oes gan P anhawster dysgu a nodwyd gan berchennog neu awdurdod lleol sy'n galw am wneud darpariaeth addysgol arbennig ar gyfer P.

### Y darpariaethau sy'n dod i rym ar 1 Medi 2021

3. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Medi 2021 ac eithrio mewn perthynas â pherson sy'n dod o fewn unrhyw un neu ragor o'r paragraffau yn erthygl 4 ar 1 Medi 2021—

- (a) adrannau 2 i 4;
- (b) adrannau 6 i 14;
- (c) adrannau 16 i 36;
- (d) adran 38;
- (e) adrannau 40 i 44;
- (f) adrannau 47 i 49;

- (ii) section 21 of the 2014 Act in relation to a child in the area of a local authority in Wales who is a registered pupil at a mainstream school in England;

“Tribunal” (“*Tribiwnlys*”) means the Education Tribunal for Wales(1);

“Tribunal Rules” (“*Rheolau'r Tribiwnlys*”) means Special Educational Needs Tribunal for Wales Regulations 2012(2).

(3) For the purposes of this Order an appeal is finally determined if—

- (a) a decision is made by a tribunal or court on the appeal, and
- (b) if a request may be made to review the decision or it may be further appealed, the period (or each of the periods) for doing so expires without a review being requested or further appeal being brought.

### Meaning of identified special educational needs

2. A child “C” has “identified special educational needs” for the purposes of this Order if C has a learning difficulty identified by a proprietor or a local authority which calls for special educational provision to be made for C.

### Provisions coming into force on 1 September 2021

3. The following provisions of the Act come into force on 1 September 2021 except in relation to a person who falls into any of the paragraphs in article 4 on 1 September 2021—

- (a) sections 2 to 4;
- (b) sections 6 to 14;
- (c) sections 16 to 36;
- (d) section 38;
- (e) sections 40 to 44;
- (f) sections 47 to 49;

(1) Arferai Tribiwnlys Addysg Cymru gael ei alw'n Dribiwnlys Anghenion Addysgol Arbennig Cymru. *Gweler* adran 91 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018.

(2) 1998 p. 31.

(1) The Education Tribunal for Wales was previously known as the Special Educational Needs Tribunal for Wales. *See* section 91 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

(2) S.I. 2012/322 (W. 53).

- (g) adran 50(1) at ddibenion y darpariaethau ym mharagraff (h);
  - (h) adran 50(4) i (5);
  - (i) adrannau 51 i 53;
  - (j) adran 55;
  - (k) adran 59;
  - (l) adrannau 63 i 66;
  - (m) adrannau 68 i 69;
  - (n) adran 96 at ddibenion y darpariaethau ym mharagraff (o);
  - (o) yn yr Atodlen—
    - (i) paragraff 1;
    - (ii) paragraff 4(1) at ddibenion y darpariaethau yn is-baragraffau (iii) i (x);
    - (iii) paragraff 4(2) i 4(8);
    - (iv) paragraff 4(9);
    - (v) paragraff 4(10);
    - (vi) paragraff 4(13) i 4(18);
    - (vii) paragraff 4(19)(b);
    - (viii) paragraff 4(20) a 4(21);
    - (ix) paragraff 4(23) i 4(29);
    - (x) paragraff 4(32)(a)(i) a (ii) a pharagraff 4(32)(b);
    - (xi) paragraff 7;
    - (xii) paragraff 8;
    - (xiii) paragraff 11(a);
    - (xiv) paragraff 12(a);
    - (xv) paragraff 14(1) at ddibenion y darpariaethau yn is-baragraff (xvi);
    - (xvi) paragraff 14(2) a (3);
    - (xvii) paragraff 19(1) at ddiben y ddarpariaeth yn is-baragraff (xviii);
    - (xviii) paragraff 19(5)(e)(ii);
    - (xix) paragraff 21(1) at ddibenion y darpariaethau yn is-baragraff (xx);
    - (xx) paragraff 21(2)(a)(i) a (2)(b)(ii);
    - (xxi) paragraff 22;
    - (xxii) paragraff 23(1) at ddiben y ddarpariaeth yn is-baragraff (xxiii);
    - (xxiii) paragraff 23(4);
    - (xxiv) paragraff 24(1) at ddibenion y darpariaethau yn is-baragraff (xxv);
    - (xxv) paragraff 24(2) i (3), (5) a (6)(a).
- (g) section 50(1) for the purposes of the provisions in paragraph (h);
  - (h) section 50(4) to (5);
  - (i) sections 51 to 53;
  - (j) section 55;
  - (k) section 59;
  - (l) sections 63 to 66;
  - (m) sections 68 to 69;
  - (n) section 96 for the purposes of the provisions in paragraph (o);
  - (o) in the Schedule—
    - (i) paragraph 1;
    - (ii) paragraph 4(1) for the purposes of the provisions in sub-paragraphs (iii) to (x);
    - (iii) paragraph 4(2) to 4(8);
    - (iv) paragraph 4(9);
    - (v) paragraph 4(10);
    - (vi) paragraph 4(13) to 4(18);
    - (vii) paragraph 4(19)(b);
    - (viii) paragraph 4(20) and 4(21);
    - (ix) paragraph 4(23) to 4(29);
    - (x) paragraph 4(32)(a)(i) and (ii) and paragraph 4(32)(b);
    - (xi) paragraph 7;
    - (xii) paragraph 8;
    - (xiii) paragraph 11(a);
    - (xiv) paragraph 12(a);
    - (xv) paragraph 14(1) for the purposes of the provisions in sub-paragraph (xvi);
    - (xvi) paragraph 14(2) and (3);
    - (xvii) paragraph 19(1) for the purpose of the provision in sub-paragraph (xviii);
    - (xviii) paragraph 19(5)(e)(ii);
    - (xix) paragraph 21(1) for the purposes of the provisions in sub-paragraph (xx);
    - (xx) paragraph 21(2)(a)(i) and (2)(b)(ii);
    - (xxi) paragraph 22;
    - (xxii) paragraph 23(1) for the purpose of the provision in sub-paragraph (xxiii);
    - (xxiii) paragraph 23(4);
    - (xxiv) paragraph 24(1) for the purposes of the provisions in sub-paragraph (xxv);
    - (xxv) paragraph 24(2) to (3), (5) and (6)(a).

#### 4. Person—

- (a) sy'n hŷn na'r oedran ysgol gorfodol;
- (b) sydd ag anghenion addysgol arbennig a nodwyd;
- (c) y mae awdurdod lleol wedi cyflwyno hysbysiad mewn perthynas ag ef o dan adran 323 o Ddeddf 1996 ac nad yw'r asesiad wedi cychwyn ac nad oes hysbysiad wedi ei roi o dan adran 323(6) o Ddeddf 1996;
- (d) y mae cais wedi ei wneud mewn perthynas ag ef o dan adran 329 neu 329A o Ddeddf 1996 am asesiad o dan adran 323 o Ddeddf 1996 ac nad yw'r awdurdod lleol wedi penderfynu pa un ai i asesu ai peidio;
- (e) y mae cais wedi ei wneud mewn perthynas ag ef o dan adran 329 neu 329A o Ddeddf 1996 am asesiad o dan adran 323 o Ddeddf 1996 a bod yr awdurdod lleol yn penderfynu peidio â chydymffurfio â'r cais ac—
  - (i) nad yw'r amser y mae rhaid i apêl o dan adran 329(2) neu 329A(8) o Ddeddf 1996 gael ei dwyn ynddo o dan Ran B o Reolau'r Tribiwnlys wedi dod i ben;
  - (ii) bod apêl wedi ei dwyn i'r Tribiwnlys o dan adran 329(2) neu 329A(8) o Ddeddf 1996 mewn perthynas â'r penderfyniad hwnnw ond na ddyfarnwyd yn derfynol arni; neu
  - (iii) dyfarnwyd yn derfynol ar apêl i'r Tribiwnlys o dan adran 329(2) neu 329A(8) o Ddeddf 1996 mewn perthynas â'r penderfyniad hwnnw a gorchmynnwyd i'r awdurdod lleol drefnu asesiad, ac nad yw'r asesiad hwnnw wedi cychwyn;
- (f) y mae awdurdod lleol yn ymgymryd ag asesiad o anghenion addysgol mewn perthynas ag ef o dan adran 323 o Ddeddf 1996;
- (g) y mae awdurdod lleol yn bwriadu peidio â gwneud datganiad mewn perthynas ag ef yn dilyn asesiad ac—
  - (i) nad yw'r amser y mae rhaid i apêl o dan adran 325(2) o Ddeddf 1996 gael ei dwyn ynddo o dan Ran B o Reolau'r Tribiwnlys wedi dod i ben;
  - (ii) bod apêl wedi ei dwyn i'r Tribiwnlys o dan adran 325(2) o Ddeddf 1996 mewn perthynas â'r penderfyniad hwnnw ond na ddyfarnwyd yn derfynol arni;

#### 4. A person—

- (a) who is over compulsory school age;
- (b) who has identified special educational needs;
- (c) in relation to whom a local authority has served a notice under section 323 of the 1996 Act and the assessment has not commenced and no notice has been given under section 323(6) of the 1996 Act;
- (d) in relation to whom a request has been made under section 329 or 329A of the 1996 Act for an assessment under section 323 of the 1996 Act and the local authority has not determined whether to assess;
- (e) in relation to whom a request has been made under section 329 or 329A of the 1996 Act for an assessment under section 323 of the 1996 Act and the local authority determines not to comply with the request and—
  - (i) the time within which an appeal under section 329(2) or 329A(8) of the 1996 Act has to be brought under Part B of the Tribunal Rules has not ended;
  - (ii) an appeal to the Tribunal under section 329(2) or 329A(8) of the 1996 Act in relation to that determination has been brought but not finally determined; or
  - (iii) an appeal to the Tribunal under section 329(2) or 329A(8) of the 1996 Act in relation to that determination was finally determined and the local authority was ordered to arrange an assessment, and that assessment has not commenced;
- (f) in relation to whom a local authority is undertaking an assessment of educational needs under section 323 of the 1996 Act;
- (g) in relation to whom a local authority proposes not to make a statement following an assessment and—
  - (i) the time within which an appeal under section 325(2) of the 1996 Act has to be brought under Part B of the Tribunal Rules has not ended;
  - (ii) an appeal to the Tribunal under section 325(2) of the 1996 Act in relation to that decision has been brought but not finally determined;



- (iii) dygwyd apêl i'r Tribiwnlys o dan adran 325(2) o Ddeddf 1996 mewn perthynas â'r penderfyniad hwnnw a dyfarnwyd yn derfynol arni a gorchmynnwyd i'r awdurdod lleol—
  - (aa) gwneud a chynnal datganiad ac nad yw'r broses o wneud y datganiad wedi cychwyn; neu
  - (bb) ailystyried ei benderfyniad ac nad yw'r ailystyried hwnnw wedi cychwyn;
- (h) y mae awdurdod lleol wedi penderfynu peidio â chynnal datganiad mewn perthynas ag ef o dan baragraff 11(1) o Atodlen 27 i Ddeddf 1996 mwyach ac—
  - (i) nad yw'r amser y mae rhaid i apêl o dan baragraff 11(2)(b) o'r Atodlen honno gael ei dwyn ynddo o dan Ran B o Reolau'r Tribiwnlys wedi dod i ben; neu
  - (ii) bod apêl wedi ei dwyn i'r Tribiwnlys o dan baragraff 11(2)(b) o'r Atodlen honno mewn perthynas â'r penderfyniad hwnnw ond na ddyfarnwyd yn derfynol arni;
- (i) y mae asesiad mewn perthynas ag ef o dan adran 331 o Ddeddf 1996 yn mynd rhagddo;
- (j) nad yw'n hŷn na'r oedran ysgol gorfodol ond y mae asesiad mewn perthynas ag ef o dan adran 140 o Ddeddf Dysgu a Sgiliau 2000(1)—
  - (i) yn mynd rhagddo; neu
  - (ii) wedi arwain at adroddiad ar anghenion addysgol a hyfforddi y person a'r ddarpariaeth sy'n ofynnol i'w diwallu;
- (k) y mae cais wedi ei wneud mewn perthynas ag ef i awdurdod lleol i sicrhau asesiad o anghenion AIG o dan adran 36(1) o Ddeddf 2014 ac nad yw'r awdurdod lleol wedi penderfynu ar y cais hwnnw o dan adran 36(3);
- (l) y mae awdurdod lleol wedi penderfynu, o dan adran 36, beidio â sicrhau asesiad AIG mewn perthynas ag ef ac—
  - (i) nad yw'r cyfnod ar gyfer dilyn cyfryngu mewn perthynas â'r penderfyniad hwnnw o dan adran 52 o Ddeddf 2014 wedi dod i ben;
  - (ii) bod cyfryngu o dan adran 55 o Ddeddf 2014 yn mynd rhagddo mewn perthynas â'r penderfyniad hwnnw;
- (iii) an appeal to the Tribunal under section 325(2) of the 1996 Act in relation to that decision was brought and finally determined and the local authority was ordered to—
  - (aa) make and maintain a statement and the making of the statement has not commenced; or
  - (bb) reconsider its decision and that reconsideration has not commenced;
- (h) in relation to whom the local authority has determined to cease to maintain a statement under paragraph 11(1) of Schedule 27 to the 1996 Act and—
  - (i) the time within which an appeal under paragraph 11(2)(b) of that Schedule has to be brought under Part B of the Tribunal Rules has not ended; or
  - (ii) an appeal to the Tribunal under paragraph 11(2)(b) of that Schedule has been brought in relation to that decision but not finally determined;
- (i) in relation to whom an assessment under section 331 of the 1996 Act is ongoing;
- (j) who is not over compulsory school age but in relation to whom an assessment under section 140 of the Learning and Skills Act 2000(1)—
  - (i) is ongoing; or
  - (ii) has resulted in a report of the person's educational and training needs and the provision required to meet them;
- (k) in relation to whom a request to a local authority has been made to secure an EHC needs assessment under section 36(1) of the 2014 Act and the local authority has not determined that request under section 36(3);
- (l) in relation to whom a local authority has determined under section 36 not to secure an EHC assessment and—
  - (i) the period for pursuing mediation in relation to that determination under section 52 of the 2014 Act has not ended;
  - (ii) mediation under section 55 of the 2014 Act is ongoing in relation to that determination;

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(1) 2000 p. 21.

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(1) 2000 c. 21.

- (iii) bod tystysgrif gyfryngu wedi ei dyroddi o dan adran 55(4) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw ac nad yw'r cyfnod ar gyfer cyflwyno apêl i'r Tribiwnlys Haen Gyntaf o dan adran 51 o Ddeddf 2014 wedi dod i ben;
  - (iv) bod apêl wedi ei dwyn i'r Tribiwnlys Haen Gyntaf o dan adran 51(2)(a) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw ond na ddyfarnwyd yn derfynol arni;
  - (v) bod apêl wedi ei dwyn i'r Tribiwnlys Haen Gyntaf o dan adran 51(2)(a) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw a dyfarnwyd yn derfynol arni a gorchmynnwyd i'r awdurdod lleol drefnu asesiad neu ailasesiad, ac nad yw'r asesiad hwnnw neu'r ailasesiad hwnnw wedi cychwyn;
  - (m) y mae awdurdod lleol wedi cyflwyno hysbysiad mewn perthynas ag ef o dan adran 36(7) o Ddeddf 2014 ei fod yn ystyried sicrhau asesiad o anghenion AIG ac—
    - (i) nad yw'r asesiad wedi cychwyn,
    - (ii) bod yr asesiad yn mynd rhagddo, neu
  - (iii) nad oes hysbysiad wedi ei gyflwyno o dan adran 36(9) o Ddeddf 2014;
  - (n) y mae awdurdod lleol wedi penderfynu o dan adran 36(9) o Ddeddf 2014 nad yw'n angenrheidiol gwneud darpariaeth addysgol arbennig yn unol â chynllun AIG mewn perthynas ag ef ac—
    - (i) nad yw'r cyfnod ar gyfer dilyn cyfryngu mewn perthynas â'r penderfyniad hwnnw o dan adran 52 o Ddeddf 2014 wedi dod i ben;
    - (ii) bod cyfryngu o dan adran 55 o Ddeddf 2014 yn mynd rhagddo mewn perthynas â'r penderfyniad hwnnw;
    - (iii) bod tystysgrif gyfryngu wedi ei dyroddi o dan adran 55(4) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw ac nad yw'r cyfnod ar gyfer cyflwyno apêl i'r Tribiwnlys Haen Gyntaf o dan adran 51 o Ddeddf 2014 wedi dod i ben;
    - (iv) bod apêl wedi ei dwyn i'r Tribiwnlys Haen Gyntaf o dan adran 51(2)(b) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw ond na ddyfarnwyd yn derfynol arni;
- (iii) a mediation certificate has been issued under section 55(4) of the 2014 Act in relation to that determination and the period for submitting an appeal to the First-tier Tribunal under section 51 of the 2014 Act has not ended;
  - (iv) an appeal to the First-tier Tribunal under section 51(2)(a) of the 2014 Act in relation to that determination has been brought but not finally determined;
  - (v) an appeal to the First-tier Tribunal under section 51(2)(a) of the 2014 Act in relation to that determination has been brought and fully determined and the local authority was ordered to arrange an assessment or re-assessment, and that assessment or re-assessment has not commenced;
  - (m) in relation to whom a local authority has served a notice under section 36(7) of the 2014 Act that it is considering securing an EHC needs assessment and —
    - (i) the assessment has not commenced,
    - (ii) the assessment is ongoing, or
  - (iii) no notice has been served under section 36(9) of the 2014 Act;
  - (n) in relation to whom a local authority has determined under section 36(9) of the 2014 Act that it is not necessary for special educational provision to be made in accordance with an EHC plan and—
    - (i) the period for pursuing mediation in relation to that determination under section 52 of the 2014 Act has not ended;
    - (ii) mediation under section 55 of the 2014 Act is ongoing in relation to that determination;
    - (iii) a mediation certificate has been issued under section 55(4) of the 2014 Act in relation to that determination and the period for submitting an appeal to the First-tier Tribunal under section 51 of the 2014 Act has not ended;
    - (iv) an appeal to the First-tier Tribunal under section 51(2)(b) of the 2014 Act in relation to that determination has been brought but not finally determined;

- (v) bod apêl wedi ei dwyn i'r Tribiwnlys Haen Gyntaf o dan adran 51(2)(b) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw a dyfarnwyd yn derfynol arni a gorchmynnwyd i'r awdurdod lleol—
  - (aa) gwneud a chynnal cynllun AIG ac nad yw'r broses o wneud y cynllun AIG wedi cychwyn; neu
  - (bb) ailystyried ei benderfyniad ac nad yw'r ailystyried hwnnw wedi cychwyn;
- (o) y mae awdurdod lleol wedi penderfynu o dan adran 45 o Ddeddf 2014 nad yw'n angenrheidiol mwyach gynnal cynllun AIG mewn perthynas ag ef ac—
  - (i) nad yw'r cyfnod ar gyfer dilyn cyfryngu mewn perthynas â'r penderfyniad hwnnw o dan adran 52 o Ddeddf 2014 wedi dod i ben;
  - (ii) bod cyfryngu o dan adran 55 o Ddeddf 2014 yn mynd rhagddo mewn perthynas â'r penderfyniad hwnnw;
  - (iii) bod tystysgrif gyfryngu wedi ei dyroddi o dan adran 55(4) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw ac nad yw'r cyfnod ar gyfer cyflwyno apêl i'r Tribiwnlys Haen Gyntaf o dan adran 51 o Ddeddf 2014 wedi dod i ben;
  - (iv) bod apêl wedi ei dwyn i'r Tribiwnlys Haen Gyntaf o dan adran 51(2)(f) o Ddeddf 2014 mewn perthynas â'r penderfyniad hwnnw ond na ddyfarnwyd yn derfynol arni;

- (v) an appeal to the First-tier Tribunal under section 51(2)(b) of the 2014 Act in relation to that determination has been brought and finally determined and the local authority was ordered to—
  - (aa) make and maintain an EHC plan and the making of the EHC plan has not commenced; or
  - (bb) reconsider its decision and that reconsideration has not commenced;
- (o) in relation to whom a local authority has determined under section 45 of the 2014 Act that it is no longer necessary for an EHC plan to be maintained and—
  - (i) the period for pursuing mediation in relation to that determination under section 52 of the 2014 Act has not ended;
  - (ii) mediation under section 55 of the 2014 Act is ongoing in relation to that determination;
  - (iii) a mediation certificate has been issued under section 55(4) of the 2014 Act in relation to that determination and the period for submitting an appeal to the First-tier Tribunal under section 51 of the 2014 Act has not ended;
  - (iv) an appeal to the First-tier Tribunal under section 51(2)(f) of the 2014 Act in relation to that determination has been brought but not finally determined.

**5.** Daw adrannau 40 i 44 o'r Ddeddf i rym ar 1 Medi 2021 mewn perthynas â phlentyn nad yw'n hŷn na'r oedran ysgol gorfodol ar 1 Medi 2021.

**5.** Sections 40 to 44 of the Act come into force on 1 September 2021 in relation to a child who on 1 September 2021 is not over compulsory school age.

**6.** Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Medi 2021 mewn perthynas â pherson sy'n dod o fewn erthygl 7—

**6.** The following provisions of the Act come into force on 1 September 2021 in relation to a person who falls into article 7 —

- (a) adrannau 2 i 4;
- (b) adrannau 6 i 14;
- (c) adrannau 16 i 36;
- (d) adran 38;
- (e) adrannau 40 i 44;
- (f) adrannau 47 i 49;
- (g) adran 50(1) at ddibenion y darpariaethau ym mharagraff (h);
- (h) adran 50(4) i (5);
- (i) adrannau 51 i 53;

- (a) sections 2 to 4;
- (b) sections 6 to 14;
- (c) sections 16 to 36;
- (d) section 38;
- (e) sections 40 to 44;
- (f) sections 47 to 49;
- (g) section 50(1) for the purposes of the provisions in paragraph (h);
- (h) section 50(4) to (5);
- (i) sections 51 to 53;

- (j) adran 55;
- (k) adran 59;
- (l) adrannau 63 i 66;
- (m) adrannau 68 i 69;
- (n) adran 96 at ddibenion y darpariaethau ym mharagraff (o);
- (o) yn yr Atodlen—
  - (i) paragraff 1;
  - (ii) paragraff 4(1) at ddibenion y darpariaethau yn is-baragraffau (iii) i (x);
  - (iii) paragraff 4(2) i 4(8);
  - (iv) paragraff 4(9);
  - (v) paragraff 4(10);
  - (vi) paragraff 4(13) i 4(18);
  - (vii) paragraff 4(19)(b);
  - (viii) paragraff 4(20) a 4(21);
  - (ix) paragraff 4(23) i 4(29);
  - (x) paragraff 4(32)(a)(i) a (ii) a pharagraff 4(32)(b);
  - (xi) paragraff 7;
  - (xii) paragraff 8;
  - (xiii) paragraff 11(a);
  - (xiv) paragraff 12(a);
  - (xv) paragraff 14(1) at ddibenion y darpariaethau yn is-baragraff (xvi);
  - (xvi) paragraff 14(2) a (3);
  - (xvii) paragraff 19(1) at ddiben y ddarpariaeth yn is-baragraff (xviii);
  - (xviii) paragraff 19(5)(e)(ii);
  - (xix) paragraff 21(1) at ddibenion y darpariaethau yn is-baragraff (xx);
  - (xx) paragraff 21(2)(a)(i) a (2)(b)(ii);
  - (xxi) paragraff 22;
  - (xxii) paragraff 23(1) at ddiben y ddarpariaeth yn is-baragraff (xxiii);
  - (xxiii) paragraff 23(4);
  - (xxiv) paragraff 24(1) at ddibenion y darpariaethau yn is-baragraff (xxv);
  - (xxv) paragraff 24(2) i (3), (5) a (6)(a).

7. Person y mae cynllun datblygu unigol yn cael ei lunio o dan adran 40 neu ei gadw o dan adran 42 o'r Ddeddf mewn perthynas ag ef.

- (j) section 55;
- (k) section 59;
- (l) sections 63 to 66;
- (m) sections 68 to 69;
- (n) section 96 for the purposes of the provisions in paragraph (o);
- (o) in the Schedule—
  - (i) paragraph 1;
  - (ii) paragraph 4(1) for the purposes of the provisions in sub-paragraphs (iii) to (x);
  - (iii) paragraph 4(2) to 4(8);
  - (iv) paragraph 4(9);
  - (v) paragraph 4(10);
  - (vi) paragraph 4(13) to 4(18);
  - (vii) paragraph 4(19)(b);
  - (viii) paragraph 4(20) and 4(21);
  - (ix) paragraph 4(23) to 4(29);
  - (x) paragraph 4(32)(a)(i) and (ii) and paragraph 4(32)(b);
  - (xi) paragraph 7;
  - (xii) paragraph 8;
  - (xiii) paragraph 11(a);
  - (xiv) paragraph 12(a);
  - (xv) paragraph 14(1) for the purposes of the provisions in sub-paragraph (xvi);
  - (xvi) paragraph 14(2) and (3);
  - (xvii) paragraph 19(1) for the purpose of the provision in sub-paragraph (xviii);
  - (xviii) paragraph 19(5)(e)(ii);
  - (xix) paragraph 21(1) for the purposes of the provisions in sub-paragraph (xx);
  - (xx) paragraph 21(2)(a)(i) and (2)(b)(ii);
  - (xxi) paragraph 22;
  - (xxii) paragraph 23(1) for the purpose of the provision in sub-paragraph (xxiii);
  - (xxiii) paragraph 23(4);
  - (xxiv) paragraph 24(1) for the purposes of the provisions in sub-paragraph (xxv);
  - (xxv) paragraph 24(2) to (3), (5) and (6)(a).

7. A person in relation to whom an individual development plan is being prepared under section 40 or kept under section 42 of the Act.

8. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Medi 2021—

- (a) adran 50(1) at ddibenion y darpariaethau yn is-baragraff (b);
- (b) adran 50(2) i 50(3);
- (c) adran 54 i'r graddau nad yw eisoes mewn grym;
- (d) adran 56 i'r graddau nad yw eisoes mewn grym;
- (e) adrannau 57 i 58;
- (f) adrannau 70 i 73;
- (g) adrannau 75 i 81;
- (h) adrannau 83 i 95;
- (i) adran 96 at ddibenion y darpariaethau ym mharagraff (j);
- (j) yn yr Atodlen—
  - (i) paragraff 2(1) at ddibenion y darpariaethau yn is-baragraff (ii) i (iii);
  - (ii) paragraff 2(2)(b);
  - (iii) paragraff 2(3);
  - (iv) paragraff 3;
  - (v) paragraff 4(1) at ddibenion y darpariaethau yn is-baragraffau (vi) i (xv);
  - (vi) paragraff 4(9) i'r graddau y mae'n hepgor adran 333(1ZA), adran 333(2) i 333(6) ac adrannau 334 i 335;
  - (vii) paragraff 4(12);
  - (viii) paragraff 4(19)(a);
  - (ix) paragraff 4(22);
  - (x) paragraff 4(30)(a)(ii) a 4(30)(b);
  - (xi) paragraff 4(31);
  - (xii) paragraff 4(32)(a)(iii);
  - (xiii) paragraff 4(33)(a);
  - (xiv) paragraff 4(33)(b) i'r graddau y mae'n hepgor y cofnodion a ganlyn—
    - “the appropriate national authority (in Chapter 2 of Part 4)”
    - “the chairman’s panel”
    - “the lay panel”
    - “the President”
    - “the Tribunal”
  - (xv) paragraff 4(33)(d), 4(33)(e) a 4(33)(g);
  - (xvi) paragraff 6(d)(v) a pharagraffau 6(f) a 6(g);
  - (xvii) paragraff 6(j)(i);

8. The following provisions of the Act come into force on 1 September 2021—

- (a) section 50(1) for the purposes of the provisions in sub-paragraph (b);
- (b) section 50(2) to 50(3);
- (c) section 54 so far as not already in force;
- (d) section 56 so far as not already in force;
- (e) sections 57 to 58;
- (f) sections 70 to 73;
- (g) sections 75 to 81;
- (h) sections 83 to 95;
- (i) section 96 for the purposes of the provisions in paragraph (j);
- (j) in the Schedule—
  - (i) paragraph 2(1) for the purposes of the provisions in sub-paragraph (ii) to (iii);
  - (ii) paragraph 2(2)(b);
  - (iii) paragraph 2(3);
  - (iv) paragraph 3;
  - (v) paragraph 4(1) for the purposes of the provisions in sub paragraphs (vi) to (xv);
  - (vi) paragraph 4(9) in so far as it omits section 333(1ZA), section 333(2) to 333(6) and sections 334 to 335;
  - (vii) paragraph 4(12);
  - (viii) paragraph 4(19)(a);
  - (ix) paragraph 4(22);
  - (x) paragraph 4(30)(a)(ii) and 4(30)(b);
  - (xi) paragraph 4(31);
  - (xii) paragraph 4(32)(a)(iii);
  - (xiii) paragraph 4(33)(a);
  - (xiv) paragraph 4(33)(b) in so far as it omits the following entries—
    - “the appropriate national authority (in Chapter 2 of Part 4)”
    - “the chairman’s panel”
    - “the lay panel”
    - “the President”
    - “the Tribunal”
  - (xv) paragraph 4(33)(d), 4(33)(e) and 4(33)(g);
  - (xvi) paragraph 6(d)(v) and paragraphs 6(f) and 6(g);
  - (xvii) paragraph 6(j)(i);

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| <p>(xviii) paragraff 6(l)(i) a 6(l)(iii);</p> <p>(xix) paragraff 6(n)(ii) i'r graddau y mae'n hepgor paragraff 11 o Atodlen 2 i Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009;</p> <p>(xx) paragraff 6(t);</p> <p>(xxi) paragraff 9;</p> <p>(xxii) paragraff 10;</p> <p>(xxiii) paragraff 11(b);</p> <p>(xxiv) paragraff 12(b);</p> <p>(xxv) paragraff 13;</p> <p>(xxvi) paragraff 14(1) at ddiben y ddarpariaeth yn is-baragraff (xxvii);</p> <p>(xxvii) paragraff 14(4);</p> <p>(xxviii) paragraff 15(1) at ddibenion y darpariaethau yn is-baragraff (xxix);</p> <p>(xxix) paragraffau 15(3) i 15(4);</p> <p>(xxx) paragraff 17;</p> <p>(xxxi) paragraff 18;</p> <p>(xxxii) paragraff 19(1) at ddibenion y darpariaethau yn is-baragraff (xxxiii);</p> <p>(xxxiii) paragraffau 19(2), (3), (4), (5)(a) i (d), 5(e)(i), 5(f) i (h) a (6);</p> <p>(xxxiv) paragraff 20;</p> <p>(xxxv) paragraff 21(1) at ddiben y ddarpariaeth yn is-baragraff (xxxvi);</p> <p>(xxxvi) paragraff 21(b)(i);</p> <p>(xxxvii) paragraff 23(1) at ddibenion y darpariaethau yn is-baragraff (xxxviii);</p> <p>(xxxviii) paragraff 23(3)(a) i (c) a (5);</p> <p>(xxxix) paragraff 24(1) at ddibenion y darpariaethau yn is-baragraff (xl);</p> <p>(xl) paragraffau 24(4) a (6)(b) ac (c).</p> | <p>(xviii) paragraph 6(l)(i) and 6(l)(iii);</p> <p>(xix) paragraph 6(n)(ii) in so far as it omits paragraph 11 of Schedule 2 to the Apprenticeships, Skills, Children and Learning Act 2009;</p> <p>(xx) paragraph 6(t);</p> <p>(xxi) paragraph 9;</p> <p>(xxii) paragraph 10;</p> <p>(xxiii) paragraph 11(b);</p> <p>(xxiv) paragraph 12(b);</p> <p>(xxv) paragraph 13;</p> <p>(xxvi) paragraph 14(1) for the purpose of the provision in sub-paragraph (xxvii);</p> <p>(xxvii) paragraph 14(4);</p> <p>(xxviii) paragraph 15(1) for the purposes of the provisions in sub-paragraph (xxix);</p> <p>(xxix) paragraphs 15(3) to 15(4);</p> <p>(xxx) paragraph 17;</p> <p>(xxxi) paragraph 18;</p> <p>(xxxii) paragraph 19(1) for the purposes of the provisions in sub-paragraph (xxxiii);</p> <p>(xxxiii) paragraphs 19(2), (3), (4), (5)(a) to (d), 5(e)(i), 5(f) to (h) and (6);</p> <p>(xxxiv) paragraph 20;</p> <p>(xxxv) paragraph 21(1) for the purpose of the provision in sub-paragraph (xxxvi);</p> <p>(xxxvi) paragraph 21(b)(i);</p> <p>(xxxvii) paragraph 23(1) for the purposes of the provisions in sub-paragraph (xxxviii);</p> <p>(xxxviii) paragraph 23(3)(a) to (c) and (5);</p> <p>(xxxix) paragraph 24(1) for the purposes of the provisions in sub-paragraph (xl);</p> <p>(xl) paragraphs 24(4) and (6)(b) and (c).</p> |
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*Kirsty Williams*

Y Gweinidog Addysg, un o Weinidogion Cymru  
22 Mawrth 2021

Minister for Education, one of the Welsh Ministers  
22 March 2021

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