



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 1 Mehefin 2009
Tabled on 3 June 2009

Y Mesur Arfaethedig Bwyta'n Iach mewn Ysgolion (Cymru)
Proposed Healthy Eating in Schools (Wales) Measure

Jane Hutt

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Page 2, line 1, leave out section 1 and insert –

'() Promoting healthy eating and drinking by pupils in maintained schools

- (1) A local authority must take action to promote healthy eating and drinking by registered pupils of maintained schools in its area.
- (2) The governing body of a maintained school must take action to promote healthy eating and drinking by registered pupils of the school.
- (3) In discharging these duties a local authority and a governing body must have regard to guidance given from time to time by the Welsh Ministers –
 - (a) on what constitutes healthy eating and drinking;
 - (b) on appropriate action to promote healthy eating and drinking;
 - (c) on how principles of sustainable development are to apply in relation to the promotion of healthy eating and drinking.'

Tudalen 2, llinell 1, gadewch allan adran 1 a rhowch yn ei lle –

() Hybu disgyblion mewn ysgolion a gynhelir i fwyta ac yfed yn iach

- (1) Rhaid i awdurdod lleol gymryd camau i hybu disgyblion cofrestredig ysgolion a gynhelir yn ei ardal i fwyta ac yfed yn iach.
- (2) Rhaid i gorff llywodraethu ysgol a gynhelir gymryd camau i hybu disgyblion cofrestredig yr ysgol i fwyta ac yfed yn iach.
- (3) Wrth gyflawni'r dyletswyddau hyn rhaid i awdurdod lleol a chorff llywodraethu roi sylw i ganllawiau a roddir o bryd i'w gilydd gan Weinidogion Cymru –
 - (a) ynghylch beth mae bwyta ac yfed yn iach yn ei olygu;
 - (b) ynghylch y camau priodol i'w cymryd er mwyn hybu bwyta ac yfed yn iach;
 - (c) ynghylch sut y mae egwyddorion datblygiad cynaliadwy i fod yn gymwys mewn perthynas â hybu bwyta ac yfed yn iach.'

Jane Hutt

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Page 2, line 33, leave out section 2.

Tudalen 2, llinell 34, gadewch allan adran 2.

Jane Hutt

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Page 3, line 8, leave out section 4 and insert –

() Governors' reports

In section 30 of the 2002 Act (governors' reports (Wales) and other information), after subsection (2) insert –

- “(2A) The governing body of a maintained school in Wales must include in a governors' report information about the action taken to promote healthy eating and drinking by pupils of the school.” ‘.

Tudalen 3, llinell 8, gadewch allan adran 4 ac ychwanegwch –

() Adroddiadau llywodraethwyr

Yn adran 30 o Ddeddf 2002 (adroddiadau llywodraethwyr (Cymru) a gwybodaeth arall), ar ôl is-adran (2) mewnosoder –

- “(2A) The governing body of a maintained school in Wales must include in a governors' report information about the action taken to promote healthy eating and drinking by pupils of the school.” ‘.

Jane Hutt

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Page 3, line 15, leave out section 5 and insert –

'() Functions of the Chief Inspector of Education and Training in Wales

- (1) The Education Act 2005 (c.18) is amended as follows.
- (2) In section 20(1) (functions of chief inspector), after paragraph (f), insert –
“(g) actions taken at maintained schools to promote healthy eating and drinking.”
- (3) In section 31(1) (interpretation of chapter 3), after the definition of “the Chief Inspector” insert –
“maintained school” means a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school or a pupil referral unit in Wales.” ‘.

Tudalen 3, llinell 15, gadewch allan adran 5 a rhwch yn ei lle –

'() Swyddogaethau'r Prif Arolygydd dros Addysg a Hyfforddiant yng Nghymru

- (1) Diwygier Deddf Addysg 2005 (p.18) fel a ganlyn.
- (2) Yn adran 20(1) (swyddogaethau'r prif arolygydd), ar ôl paragraff (f), mewnosoder –
“(g) actions taken at maintained schools to promote healthy eating and drinking.”
- (3) Yn adran 31(1) (dehongli pennod 3) ar ôl diffiniad “the Chief Inspector” mewnosoder –
“maintained school” means a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school or a pupil referral unit in Wales.”’.

Jane Hutt

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Page 3, line 24, leave out section 6.

Tudalen 3, llinell 24, gadewch allan adran 6.

Jane Hutt

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Section 7, page 4, line 10, leave out subsection (2).

Adran 7, tudalen 4, llinell 11, gadewch allan is-adran (2).

Jane Hutt

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Section 7, page 4, after line 20, insert –

‘(c) specify maximum amounts of –

- (i) fat;
- (ii) saturated fat;
- (iii) salt; and
- (iv) sugar;

which the food or drink can contain.’

Adran 7, tudalen 4, ar ôl llinell 22, ychwanegwch –

‘(c) pennu uchafsymiau –

- (i) braster;
- (ii) braster dirlawn;
- (iii) halen; a
- (iv) siwgr;

y caniateir i’r bwyd neu’r ddiod eu cynnwys.’

Jane Hutt

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Section 8, page 5, line 31, leave out ‘school which it maintains’, and insert ‘maintained school’.

Adran 8, tudalen 5, llinell 35, gadewch allan ‘y mae’n ei chynnal’ a rhowch yn ei le ‘a gynhelir’.

Jane Hutt

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Section 9, page 6, line 2, leave out –

‘education authority in Wales must –

- (a) promote the availability of school meals in schools which it maintains and other educational establishments under its management; and
- (b) encourage pupils who attend those schools and other educational establishments to consume school meals.

(2) In particular, an education authority in Wales must take reasonable steps to ensure that every pupil who is entitled to receive school lunches free of charge receives those lunches.’

and insert –

'authority or governing body of a maintained school which provides school meals or milk under section 512 of the 1996 Act must –

- (a) encourage the take-up of school meals and milk; and
- (b) take reasonable steps to ensure that every pupil who is entitled to receive school lunches and milk free of charge under section 512ZB of the 1996 Act does receive them.'

Adran 9, tudalen 6, llinell 2, gadewch allan –

'addysg lleol yng Nghymru –

- (a) hybu argaeledd prydau ysgol mewn ysgolion y mae'n eu cynnal ac mewn sefydliadau addysgol eraill sydd o dan ei reolaeth; ac
 - (b) annog disgyblion sy'n mynychu'r ysgolion a'r sefydliadau addysgol eraill hynny i fwyta prydau ysgol.
- (2) Yn benodol, rhaid i awdurdod addysg lleol yng Nghymru gymryd camau rhesymol i sicrhau bod pob disgybl y mae ganddo hawl i gael cinio ysgol am ddim yn cael y cinio hwnnw.'

ac ychwanegwch –

'lleol neu gorff llywodraethu ysgol a gynhelir sy'n darparu prydau ysgol neu laeth o dan adran 512 o Ddeddf 1996 –

- (a) hybu defnyddio prydau a llaeth ysgol; a
- (b) cymryd camau rhesymol i sicrhau bod pob disgybl sydd â hawl i gael cinio ysgol a llaeth yn rhad ac am ddim o dan adran 512ZB o Ddeddf 1996 yn eu cael.'

Jane Hutt

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Page 7, line 4, leave out section 11 and insert

'(1) In section 114A of the 1998 Act (requirements for food and drink provided on school premises etc)–

- (a) in subsection (1), paragraph (a), after "local education authority" insert "in England";
- (b) in subsection (1), paragraph (b), after "local education authority" insert "in England".

(2) Section 512 of the 1996 Act (LEA functions concerning the provision of meals, etc) is amended as follows–

- (a) in subsection (4), after "local education authority" insert "in England";
- (b) after subsection (4), insert–

"(4A) Subject to section 7(5) of the Healthy Eating in Schools (Wales) Measure 2009, any school lunches provided by a local education authority in Wales pursuant to subsection (3) may take such form as the authority think fit." '

Tudalen 7, llinell 4, gadewch allan adran 11 a rhowch yn ei lle-

- (1) Yn adran 114A o Ddeddf 1998 (gofynion ar gyfer bwyd a diod a ddarperir ar fangre ysgol etc) –
- (a) yn is-adran (1), paragraff (a), ar ôl “local education authority” mewnosoder “in England”;
 - (b) yn is-adran (1), paragraff (b), ar ôl “local education authority” mewnosoder “in England”.
- (2) Diwygir adran 512 o Ddeddf 1996 (swyddogaethau AALl sy’n ymwneud â darparu prydau, etc) fel a ganlyn –
- (a) yn is-adran (4), ar ôl “local education authority” mewnosoder “ in England”;
 - (b) ar ôl is-adran (4), mewnosoder–
“(4A) Subject to section 7(5) of the Healthy Eating in Schools (Wales) Measure 2009, any school lunches provided by a local education authority in Wales pursuant to subsection (3) may take such form as the authority think fit.” ‘.

Jane Hutt

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Section 12, page 7, line 9, after ‘section’, insert ‘by virtue of section 86(3) of the Education and Inspections Act 2006’.

Adran 12, tudalen 7, llinell 9, ar ôl ‘honno’, ychwanegwch ‘yn rhinwedd adran 86(3) o Ddeddf Addysg ac Arolygiadau 2006’.

Jane Hutt

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Section 15, page 8, line 14, leave out –

- ‘means the Education Act 1996 (c.56);
“the 1998 Act” means the School Standards and Framework Act 1998 (c.31);
“the 2002 Act” means the Education Act 2002 (c.32);
“the 2005 Act” means the Education Act 2005 (c.18);
“the Assembly” means the National Assembly for Wales; and
“healthy eating” is defined in section 3.’

and insert –

- “(“Deddf 1996”) means the Education Act 1996 (c.56);
“the 1998 Act” (“Deddf 1998”) means the School Standards and Framework Act 1998 (c.31);
“the Assembly” (“y Cynulliad”) means the National Assembly for Wales;

“the Chief Inspector” (“y Prif Arolygydd”) means the Chief Inspector of Education and Training in Wales;

“local authority” (“awdurdod lleol”) means a local education authority in Wales;

“maintained school” (“ysgol a gynhelir”) means a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school or a pupil referral unit in Wales.’.

Adran 15, tudalen 8, llinell 14, gadewch allan—

‘mae “bwyta’n iach” wedi’i ddiffinio yn adran 3;

ystyr “y Cynulliad” yw Cynulliad Cenedlaethol Cymru;

ystyr “Deddf 1996” yw Deddf Addysg 1996 (p.56);

ystyr “Deddf 1998” yw Deddf Safonau a Fframwaith Ysgolion 1998 (p.31);

ystyr “Deddf 2002” yw Deddf Addysg 2002 (p.32); ac

ystyr “Deddf 2005” yw Deddf Addysg 2005 (p.18).’

a rhowch yn ei le—

‘ystyr “awdurdod lleol” (“local authority”) yw awdurdod lleol yng Nghymru;

ystyr “y Cynulliad” (“the Assembly”) yw Cynulliad Cenedlaethol Cymru;

ystyr “Deddf 1996” (“the 1996 Act”) yw Deddf Addysg 1996 (p.56);

ystyr “Deddf 1998” (“the 1998 Act”) yw Deddf Safonau a Fframwaith Ysgolion 1998 (p.31);

ystyr “y Prif Arolygydd” (“the Chief Inspector”) yw’r Prif Arolygydd dros Addysg a Hyfforddiant yng Nghymru;

ystyr “ysgol a gynhelir” (“maintained school”) yw ysgol gymunedol, sefydledig neu wirfoddol, ysgol arbennig gymunedol neu sefydledig, ysgol feithrin a gynhelir neu uned cyfeirio disgyblion yng Nghymru.’.

Jenny Randerson

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Section 16, page 8, after line 26, insert—

‘(4) This Measure is to be included in the list of Education Acts set out in section 578 of the Education Act 1996.’.

Adran 16, tudalen 8, ar ôl llinell 25, ychwanegwch—

‘(4) Mae’r Mesur hwn i’w gynnwys yn y rhestr o Ddeddfau Addysg a geir yn adran 578 o Ddeddf Addysg 1996.’.

Paul Davies

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Section 7, page 4, line 2, leave out 'may', and insert 'must'.

Adran 7, tudalen 4, llinell 2, gadewch allan 'Caiff Gweinidogion' ac ychwanegwch 'Rhaid i Weinidogion'

Paul Davies

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Section 8, page 5, after line 34 insert –

- '() The supply of drinking water provided under subsection (1) must be easily accessible to pupils and where possible must be sourced from the mains supply.'

Adran 8, tudalen 5, ar ôl llinell 38 ychwanegwch

- '() Rhaid i'r cyflenwad dŵr yfed a ddarperir o dan is-adran (1) fod yn hawdd i ddisgyblion ei gyrchu a lle bo modd rhaid iddo ddod o'r prif gyflenwad.'