



# HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS Cyflwynwyd ar 23 Medi 2008 Tabled on 23 September 2008

## Mesur Arfaethedig ynghylch Teithio gan Ddysgwyr (Cymru) Proposed Learner Travel (Wales) Measure

**Alun Cairns**

**10**

Section 2, page 4, after line 29, insert –

‘ ( ) the needs of learners whose parents wish, or in the case of learners who are adults, who themselves wish, that teaching to be delivered primarily through the medium of the Welsh language or, alternatively, of the English language.’

Adran 2, tudalen 4, ar ôl llinell 29, ychwanegwch –

‘ ( ) anghenion dysgwyr y mae eu rhieni’n dymuno, neu yn achos dysgwyr sy’n oedolion, sydd eu hunain yn dymuno i’r addysgu hwnnw gael ei gyflwyno yn bennaf drwy gyfrwng y Gymraeg neu, fel arall, drwy gyfrwng y Saesneg.’

**Alun Cairns**

**11**

Section 3, page 7, after line 23, insert –

‘ ( ) For the purposes of each paragraph (b) in the second column of the table in this section, the school or unit is not suitable for the child if the parents of the child wish that the teaching or training should be delivered to the child primarily through the medium of the Welsh language or, alternatively, of the English language, and the teaching or training provided there are not primarily provided through the medium of that language.’

Adran 3, tudalen 7, ar ôl llinell 24, ychwanegwch—

( ) At ddibenion pob paragraff (b) yn ail golofn y tabl yn yr adran hon, nid yw'r ysgol neu'r uned yn addas i'r plentyn os yw rhieni'r plentyn yn dymuno i'r addysgu neu'r hyfforddi gael ei gyflwyno i'r plentyn yn bennaf drwy gyfrwng y Gymraeg neu, fel arall, drwy gyfrwng y Saesneg, ac nad yw'r addysgu neu'r hyfforddi a ddarperir yno yn cael ei ddarparu'n bennaf drwy gyfrwng yr iaith honno.'.

**Alun Cairns**

**12**

Section 10, page 11, after line 24, insert—

( ) Each local authority and Welsh Ministers must promote access to education and training by schools of a religious character when exercising functions under this Measure.'.

Adran 10, tudalen 11, ar ôl llinell 26, ychwanegwch—

( ) Rhaid i bob awdurdod lleol a Gweinidogion Cymru hybu mynediad i addysg a hyfforddiant gan ysgolion sy'n grefyddol o ran eu cymeriad wrth arfer swyddogaethau o dan y Mesur hwn.'.

**Alun Cairns**

**13**

Section 15, page 14, line 35, after '6', insert 'or promoting access under section 10,'.

Adran 15, tudalen 14, llinell 36, ar ôl '6', ychwanegwch 'neu wrth hybu mynediad o dan adran 10,'.

**Alun Cairns**

**14**

Section 27, page 22, line 5, leave out 'or'.

Adran 27, tudalen 22, llinell 6, gadewch allan 'neu'.

**Alun Cairns**

**15**

Section 27, page 22, after line 5, insert—

( ) regulations under section 14, or,'.

Adran 27, tudalen 22, ar ôl llinell 6, ychwanegwch—

‘( ) rheoliadau o dan adran 14, neu,’.

**Alun Cairns**

16

Section 15, page 14, after line 32, insert—

‘( ) Guidance given under subsection (1) must include guidance as to the characteristics of vehicles suitable for use in relation to travel arrangements and as to the manner in which such vehicles are to be operated.’.

Adran 15, tudalen 14, ar ôl llinell 32, ychwanegwch—

‘( ) Rhaid i’r canllawiau a roddir o dan is-adran (1) gynnwys canllawiau ynghylch nodweddion cerbydau sy’n addas i’w defnyddio mewn perthynas â threfniadau teithio ac ynghylch sut mae’r cerbydau hynny i gael eu gweithredu.’.

**Alun Cairns**

17

Section 1, page 4, after line 4, insert—

‘( ) by any other person or organisation who is in receipt of financial assistance from the Welsh Ministers for the purpose of providing that education or to enable that person or organisation to meet costs ancillary to that purpose and irrespective of whether that financial assistance is provided to that person or organisation directly by the Welsh Ministers or by another person or organisation (other than a local authority) by funds provided to that other person or organisation by the Welsh Ministers;’.

Adran 1, tudalen 4, ar ôl llinell 4, ychwanegwch—

‘( ) gan unrhyw berson neu sefydliad arall sy’n cael cymorth ariannol oddi wrth Weinidogion Cymru er mwyn darparu’r addysg honno neu i alluogi’r person neu’r sefydliad hwnnw i dalu costau sy’n atodol i’r diben hwnnw ac ni waeth a yw’r cymorth ariannol hwnnw’n cael ei ddarparu i’r person neu’r sefydliad hwnnw yn uniongyrchol gan Weinidogion Cymru ynteu gan berson neu sefydliad arall (heblaw awdurdod lleol) drwy gyllid a ddarparwyd i’r person neu’r sefydliad arall hwnnw gan Weinidogion Cymru;’.

**Alun Cairns**

18

Section 3, page 7, line 28, after ‘footpath’, insert ‘, in either case lit during the hours of darkness,’.

Adran 3, tudalen 7, llinell 29, ar ôl ‘lwybr troed’ ychwanegwch ‘, a’r rheiny, yn y naill achos neu’r llall, wedi’u goleuo yn ystod oriau’r tywyllwch,’.

**Alun Cairns**

19

Section 24, page 20, after line 8, insert –

“‘footpath” (“llwybr troed”) means a highway over which the public have a right of way on foot only, not being a footway;

“‘footway” (“troedffordd”) means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;’.

Adran 24, tudalen 20, ar ôl llinell 27, ychwanegwch –

‘ystyr “llwybr troed” (“*footpath*”) yw priffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig, nad yw’n droedffordd;’.

Adran 24, tudalen 20, ar ôl llinell 38, ychwanegwch –

‘ystyr “troedffordd” (“*footway*”) yw ffordd sy’n rhan o briffordd sydd hefyd yn cynnwys cerbyttffordd, ac sy’n ffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig;’.

**Alun Cairns**

20

Section 5, page 9, at the beginning of line 2, insert –

‘(1) Subject to subsection (2),’.

Adran 5, tudalen 9, ar ddechrau llinell 2, ychwanegwch –

‘(1) Yn ddarostyngedig i is-adran (2),’.

**Alun Cairns**

**21**

Section 5, page 9, after line 7, insert –

‘(2) Subsection (1) does not apply in relation to learners with special educational needs.’.

Adran 5, tudalen 9, ar ôl llinell 7, ychwanegwch –

‘(2) Nid yw is-adran (1) yn gymwys mewn perthynas â dysgwyr sydd ag anghenion addysgol arbennig.’.

**Alun Cairns**

**22**

Section 7, page 9, after line 30, insert –

‘( ) Welsh Ministers must make regulations making provision about travel arrangements for learners with special educational needs to and from the places where they receive education and training.’.

Adran 7, tudalen 9, ar ôl llinell 31, ychwanegwch –

‘( ) Rhaid i Weinidogion Cymru wneud rheoliadau sy’n gwneud darpariaeth ynghylch trefniadau teithio i ddysgwyr ag anghenion addysgol arbennig i’r mannau lle y maent yn cael addysg a hyfforddiant ac oddi yno.’.

**Alun Cairns**

**23**

Section 7, page 9, line 29, leave out ‘may’ and insert ‘must’.

Adran 7, tudalen 9, llinell 30, gadewch allan ‘Caiff rheoliadau’ ac ychwanegwch ‘Rhaid i reoliadau’.

**Kirsty Williams**

**24**

Section 1, page 4, after line 4, insert –

‘( ) by any other person who is in receipt of financial assistance from the Welsh Ministers for the purpose of providing that education or to enable that person to meet costs ancillary to that purpose and irrespective of whether that financial assistance is provided to that person directly by the Welsh Ministers or by another person (other than a local authority) by funds provided to that other person by the Welsh Ministers;’.

Adran 1, tudalen 4, ar ôl llinell 4, ychwanegwch –

( ) gan unrhyw berson arall sy'n cael cymorth ariannol oddi wrth Weinidogion Cymru er mwyn darparu'r addysg honno neu i alluogi'r person hwnnw i dalu costau sy'n atodol i'r diben hwnnw ac ni waeth a yw'r cymorth ariannol hwnnw'n cael ei ddarparu i'r person hwnnw yn uniongyrchol gan Weinidogion Cymru ynteu gan berson arall (heblaw awdurdod lleol) drwy gyllid a ddarparwyd i'r person arall hwnnw gan Weinidogion Cymru;'.

**Kirsty Williams**

**25**

Section 2, page 4, after line 26, insert –

( ) the needs of learners whose parents wish, or in the case of learners who are adults, who themselves wish that they be educated primarily through the medium of the Welsh language;'.

Adran 2, tudalen 4, ar ôl llinell 26, ychwanegwch –

( ) anghenion dysgwyr y mae eu rhieni'n dymuno, neu yn achos dysgwyr sy'n oedolion, sydd eu hunain yn dymuno iddynt gael eu haddysgu yn bennaf drwy gyfrwng y Gymraeg;'.

**Kirsty Williams**

**26**

Section 24, page 20, after line 8, insert –

“footpath” (*Welsh*) means a highway over which the public have a right of way on foot only, not being a footway; ,

“footway” (*Welsh*) means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;'. Adran 24, tudalen 20, ar ôl llinell 27, ychwanegwch –

Adran 24, tudalen 20, ar ôl llinell 27, ychwanegwch –

'ystyr “llwybr troed” (“footpath”) yw priffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig, nad yw'n droedffordd;'.

Adran 24, tudalen 20, ar ôl llinell 38, ychwanegwch—

‘ystyr “troedffordd” (“*footway*”) yw ffordd sy’n rhan o briffordd sydd hefyd yn cynnwys cerbyttffordd, ac sy’n ffordd y mae gan y cyhoedd hawl dramwy drosti ar droed yn unig.’

**Kirsty Williams**

27

Section 3, page 7, line 25, after ‘route’, insert ‘and “nearer to the place where the child is ordinarily resident” means nearer using the transport arrangements made by the local authority.’

Adran 3, tudalen 7, llinell 26, ar ôl ‘gael’, ychwanegwch ‘ac ystyr “nes at y man lle y mae’r plentyn yn preswyllo fel arfer” yw nes drwy ddefnyddio’r trefniadau teithio a wnaed gan yr awdurdod lleol.’

**Kirsty Williams**

28

To insert a new Section—

**‘Reports by local authorities**

- (1) Each local authority must, at least once in every calendar year, provide a report in writing to Welsh Ministers setting out the steps taken by it during the period to which the report relates-
  - (a) to promote access to education and training in relation to its duty under section 10,
  - (b) to promote the use of sustainable modes of travel when exercising functions under this Measure, and
  - (c) to make travel arrangements for learners with special educational needs.’
- (2) The report under subsection (1) must describe the extent to which the steps taken appear to have been successful.’

I ychwanegu Adran newydd –

**‘Adroddiadau gan awdurdodau lleol**

- (1) Rhaid i bob awdurdod lleol, o leiaf unwaith bob blwyddyn galendr, ddarparu adroddiad ysgrifenedig i Weinidogion Cymru yn nodi’r camau a gymerwyd ganddo yn ystod y cyfnod y mae’r adroddiad yn cyfeirio ato-
  - (a) i hybu mynediad i addysg a hyfforddiant mewn perthynas â’i ddyletswydd o dan adran 10,
  - (b) i hybu defnyddio dulliau teithio cynaliadwy wrth arfer swyddogaethau o dan y Mesur hwn, ac
  - (c) i wneud trefniadau teithio ar gyfer dysgwyr sydd ag anghenion addysgol arbennig.
- (2) Rhaid i’r adroddiad o dan is-adran (1) ddisgrifio i ba raddau y mae’n ymddangos bod y camau a gymerwyd wedi bod yn llwyddiannus.’.

**Kirsty Williams**

**29**

To insert a new Section –

**‘Reports by the Welsh Ministers**

The Welsh Ministers must, at least once in every calendar year, lay before the Assembly a report setting out –

- (d) the steps taken by them during the period to which the report in relation to the implementation of this Measure;
- (e) the way in which local authorities have complied with their duties under this Measure; and
- (f) when they have asked the Chief Inspector of Schools to give advice to them under section 20(2)(a) of the Education Act 2005 on a matter relating to the extent to which the duties under this Measure are being discharged effectively, the advice which they have received from the Chief Inspector during the period to which the report relates.’.

I ychwanegu Adran newydd –

**‘Adroddiadau gan Weinidogion Cymru**

Rhaid i Weinidogion Cymru, o leiaf unwaith bob blwyddyn galendr, osod gerbron y Cynulliad adroddiad yn nodi –

- (a) y camau a gymerwyd ganddynt yn ystod y cyfnod y mae’r adroddiad yn cyfeirio ato mewn perthynas â rhoi’r Mesur hwn ar waith;
- (b) sut mae’r awdurdodau lleol wedi cydymffurfio â’u dyletswyddau o dan y Mesur hwn; ac
- (c) pan ydynt wedi gofyn i’r Prif Arolygydd Ysgolion roi cyngor iddynt o dan adran 20(2)(a) o Ddeddf Addysg 2005 ar fater sy’n ymwneud ag i ba raddau y mae’r dyletswyddau o dan y Mesur hwn yn cael eu cyflawni’n effeithiol, y cyngor y maent wedi’i gael gan y Prif Arolygydd yn ystod y cyfnod y mae’r adroddiad yn cyfeirio ato.’