Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Cynulliad Cenedlaethol Cymru
National Assembly for Wales

Lleoliad:
Ystafell Bwyllgora 1 – Y Senedd

Dyddiad:
Dydd Iau, 30 Ebrill 2015

Amser:
09.15

I gael rhagor o wybodaeth, cysylltwch â:
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Agenda

1 Cyflwyniad, ymddiheuriadau a dirprwyon (09.30)

2 Bil Cymwysterau Cymru – Cyfnod 2: Trafod y gwelliannau (09.30 – 12.00) (Tudalennau 1 – 31)

Papurau: Rhestr o Welliannau wedi'u Didoli
Grwpio Gwelliannau
Trefn Pleidleisio

Yn unol â Rheol Sefydlog 26.21, bydd y Pwyllgor yn gwaredu'r gwelliannau i Fil Cymwysterau Cymru yn y drefn y mae’r adrannau a’r atodlenni y maent yn cyfeirio atynt yn codi yn y Bil.

Cynulliad Cenedlaethol Cymru
National Assembly for Wales

RHESTR O WELLIANNAU WEDI'U DIDOLI
MARSHALLED LIST OF AMENDMENTS

Bil Cymwysterau Cymru
Qualifications Wales Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Mae'r testun mewn italig wedi'i ddarparu gan y sawl a gynigiodd y gwelliant perthnasol I esbonio ei ddiben ac i gynorthwyo'r darllenydd. Nid yw'r testun yn rhan o eiriad y gwelliant.

The text in italics has been provided by the proposer of the relevant amendment to explain its purpose and to aid the reader's understanding. The text does not form part of the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn—

The Bill will be considered in the following order—

Section 1 - 56	Adran 1 - 56
Schedule 1 - 4	Atodlen 1 - 4
Long Title	Teitl Hir

Huw Lewis **13**

Section 1, page 1, after line 31, insert—

'( ) Part [*new Part to be inserted by amendment 26*] enables Qualifications Wales to designate a qualification for the purpose of enabling a course leading to it to be funded by the Welsh Ministers or a local authority in Wales, or provided by or on behalf of a maintained school in Wales.'.

Adran 1, tudalen 1, ar ôl llinell 33, mewnosoder—

‘( ) Mae Rhan [*Rhan newydd i’w mewnosod gan welliant 26*] yn galluogi Cymwysterau Cymru i ddynodi cymhwyster at ddiben galluogi i gwrs sy’n arwain ato gael ei gyllido gan Weinidogion Cymru neu awdurdod lleol yng Nghymru, neu ei ddarparu gan neu ar ran ysgol a gynhelir yng Nghymru.’.

Huw Lewis **14**

Section 1, page 2, line 2, after ‘by’, insert ‘or on behalf of’.

Adran 1, tudalen 2, llinell 4, ar ôl ‘gan’, mewnosoder ‘neu ar ran’.

Huw Lewis **15**

Section 1, page 2, line 3, after ‘approved’, insert ‘or designated’.

Adran 1, tudalen 2, llinell 1, hepgorer ‘cymeradwyo’r’ a mewnosoder ‘cymeradwyo neu ddynodi’r’.

Huw Lewis **16**

Section 1, page 2, line 7, leave out ‘imposed by Qualification Wales in respect of the award of a form of a qualification’ and insert ‘of recognition imposed by Qualifications Wales so that they do not apply in respect of the award of qualifications’.

Adran 1, tudalen 2, llinell 7, hepgorer ‘a osodir gan Gymwysterau Cymru mewn cysylltiad â dyfarnu ffurf ar gymhwyster’ a mewnosoder ‘cydnabod a osodir gan Gymwysterau Cymru fel nad ydynt yn gymwys mewn cysylltiad â dyfarnu cymwysterau’.

Simon Thomas **58**

Section 1, page 2, after line 19, insert—

‘( ) Part 7, section [*section to be inserted by amendment 60*], places a duty on Welsh Ministers to promote the Welsh qualification system and the aims of Qualifications Wales.’.

Adran 1, tudalen 2, ar ôl llinell 22, mewnosoder—

‘( ) Mae Rhan 7, adran [*adran i’w mewnosod gan welliant 60*], yn rhoi dyletswydd ar Weinidogion Cymru i hyrwyddo system gymwysterau Cymru a nodau Cymwysterau Cymru.’.

Simon Thomas **59**

Section 1, page 2, after line 19, insert—

‘( ) Part 7, section [*section to be inserted by amendment 61*], places a duty on Welsh Ministers to report to the Assembly on whether or not Qualifications Wales will become an issuing authority for apprenticeships. ’.

Adran 1, tudalen 2, ar ôl llinell 22, mewnosoder—

‘( ) Mae Rhan 7, adran [*adran i’w mewnosod gan welliant 61*], yn rhoi dyletswydd ar Weinidogion Cymru i adrodd i’r Cynulliad ynghylch a fydd Cymwysterau Cymru yn dod yn awdurdod dyroddi ar gyfer prentisiaethau ai peidio.’.

Simon Thomas **56**

Section 3, page 3, after line 30, insert—

‘( ) the promotion of the compatibility of qualifications in Wales with relevant European credit and qualifications frameworks. ’.

Adran 3, tudalen 3, ar ôl llinell 28, mewnosoder—

‘( ) hyrwyddo cysondeb rhwng cymwysterau yng Nghymru a fframweithiau cymwysterau a chredydau Ewropeaidd perthnasol.’.

Simon Thomas **57**

Section 3, page 3, after line 30, insert—

‘( ) the promotion of parity of esteem between academic and vocational qualifications.’.

Adran 3, tudalen 3, ar ôl llinell 28, mewnosoder—

‘( ) hyrwyddo parch cydradd i gymwysterau academaidd a chymwysterau galwedigaethol.’.

Huw Lewis **17**

Section 3, page 3, line 32, leave out ‘in Wales’ and insert ‘to persons assessed wholly or mainly in Wales for this purpose’.

Adran 3, tudalen 3, llinell 30, hepgorer ‘yng Nghymru drwyddi’ a mewnosoder ‘drwyddi i bersonau a asesir yn gyfan gwbl neu’n bennaf yng Nghymru at y diben hwn’.

Aled Roberts **62**

To insert a new section—

‘[ ] Framework document and Annual remit letter

The Welsh Ministers must issue and publish a framework document and an annual remit letter to which Qualifications Wales must have regard in the exercise of its functions.’.

I fewnosod adran newydd—

‘[ ] Dogfen fframwaith a llythyr cylch gwaith blynyddol

Rhaid i Weinidogion Cymru ddyroddi a chyhoeddi dogfen fframwaith a llythyr cylch gwaith blynyddol y mae’n rhaid i Gymwysterau Cymru roi sylw iddynt wrth arfer ei swyddogaethau.’.

Huw Lewis **18**

Section 4, page 4, after line 3, insert—

‘(3) Part [*new Part to be inserted by amendment 26*] (designation of other qualifications) makes provision for a body that is recognised under this Part in respect of the award of a qualification to apply to Qualifications Wales for a form of that qualification to be designated under section [*section to be inserted by amendment 26*].’.

Adran 4, tudalen 4, ar ôl llinell 3, mewnosoder—

‘(3) Mae Rhan [*Rhan newydd i’w mewnosod gan welliant 26*] (dynodi cymwysterau eraill) yn gwneud darpariaeth i gorff a gydnabyddir o dan y Rhan hon mewn cysylltiad â dyfarnu cymhwyster wneud cais i Gymwysterau Cymru i ffurf ar y cymhwyster hwnnw gael ei dynodi o dan adran [*adran i’w mewnosod gan welliant 26*].’.

Huw Lewis **19**

Section 8, page 4, line 29, leave out ‘in respect of the award of’ and insert ‘as a body awarding’.

Adran 8, tudalen 4, llinell 31, hepgorer ‘mewn cysylltiad â’ a mewnosoder ‘yn gorff sy’n’.

Huw Lewis **20**

Section 8, page 4, after line 30, insert—

‘( ) The awarding body may specify in its application a qualification or description of qualification in respect of the award of which it does not wish to be recognised.’.

Adran 8, tudalen 4, ar ôl llinell 31, mewnosoder—

‘( ) Caiff y corff dyfarnu bennu yn ei gais gymhwyster neu ddisgrifiad o gymhwyster nad yw’n dymuno cael ei gydnabod mewn cysylltiad â’i ddyfarnu.’.

Huw Lewis **21**

Section 8, page 4, line 32, leave out ‘in respect of the award of qualifications in Wales’.

Adran 8, tudalen 4, llinell 33, hepgorer ‘mewn cysylltiad â dyfarnu cymwysterau yng Nghymru’.

Huw Lewis **22**

Section 8, page 4, line 35, leave out ‘in respect of the award of qualifications in Wales’.

Adran 8, tudalen 4, llinell 36, hepgorer ‘mewn cysylltiad â dyfarnu cymwysterau yng Nghymru’.

Huw Lewis **23**

Section 8, page 5, after line 5, insert—

‘( ) Where a qualification or description of qualification is specified by an awarding body in accordance with subsection [*subsection to be inserted by amendment 20*], references to the general recognition criteria in subsections (2) to (4) are not to be treated as including criteria that apply only in respect of the award of the qualification or description of qualification specified.

( ) Where an awarding body is recognised other than in respect of the award of a qualification or description of qualification specified by it in accordance with subsection [*subsection to be inserted by amendment 20*], it may apply to Qualifications Wales to be recognised in respect of the award of the qualification or description of qualification.

( ) Subsections (2) to [*first subsection to be inserted by this amendment*] apply for the purposes of an application under subsection [*second subsection to be inserted by this amendment*] as if it were an application under subsection (1).'.

Adran 8, tudalen 5, ar ôl llinell 5, mewnosoder—

'( ) Pan fo cymhwyster neu ddisgrifiad o gymhwyster wedi ei bennu gan gorff dyfarnu yn unol ag is-adran [*is-adran i'w mewnosod gan welliant 20*], nid yw cyfeiriadau at y meini prawf cydnabod cyffredinol yn is-adrannau (2) i (4) i gael eu trin fel pe baent yn cynnwys meini prawf nad ydynt ond yn gymwys mewn cysylltiad â dyfarnu'r cymhwyster neu'r disgrifiad o gymhwyster a bennir.

( ) Pan fo corff dyfarnu wedi ei gydnabod ac eithrio mewn cysylltiad â dyfarnu cymhwyster neu ddisgrifiad o gymhwyster a bennir ganddo yn unol ag is-adran [*is-adran i'w mewnosod gan welliant 20*], caiff wneud cais i Gymwysterau Cymru i gael ei gydnabod mewn cysylltiad â dyfarnu'r cymhwyster neu'r disgrifiad o gymhwyster.

( ) Mae is-adrannau (2) i [*is-adran gyntaf i'w mewnosod gan y gwelliant hwn*] yn gymwys at ddibenion cais o dan is-adran [*ail is-adran i'w mewnosod gan y gwelliant hwn*] fel pe bai'n gaiso dan is-adran (1).'.

Huw Lewis **24**

Section 8, page 5, line 8, after 'apply', insert—
', and

(a) any qualification or description of qualification specified in accordance with subsection [*subsection to be inserted by amendment 20*]'.

Adran 8, tudalen 5, llinell 8, ar ôl 'hwy', mewnosoder—
', a

(a) unrhyw gymhwyster neu ddisgrifiad o gymhwyster a bennir yn unol ag is-adran [*is-adran i'w mewnosod gan welliant 20*]'.

Huw Lewis **25**

Section 12, page 6, line 16, after '8', insert '(provided that the qualification is not one that is specified, or of a description specified, by the body under section 8(*subsection to be inserted by amendment 20*)) and is not one in respect of which recognition of the body has ceased to have effect as set out in paragraph 1(2) of Schedule 3)'.

Adran 12, tudalen 6, llinell 17, ar ôl '8', mewnosoder '(ar yr amod nad yw'r cymhwyster yn un a bennir, neu o ddisgrifiad a bennir, gan y corff o dan adran 8(*is-adran i'w mewnosod gan welliant 20*)) ac nad yw'n un y mae cydnabyddiaeth o'r corff mewn cysylltiad ag ef wedi peidio â chael effaith fel y'i nodir ym mharagraff 1(2) o Atodlen 3)'.

Aled Roberts **63**

Section 13, page 7, line 1, after 'that' at the first place where it appears, insert ', following consultation with stakeholders,'.

Adran 13, tudalen 7, llinell 1, ar ôl 'Cymru' yn yr ail le y mae'n ymddangos, mewnosoder ', yn dilyn ymgynghoriad â rhanddeiliaid,'.

Aled Roberts **64**

Section 14, page 7, line 24, after 'that' at the first place where it appears, insert ', following consultation with stakeholders,'.

Adran 14, tudalen 7, llinell 27, ar ôl 'Cymru', mewnosoder ', yn dilyn ymgynghoriad â rhanddeiliaid,'.

Aled Roberts **65**

Section 14, page 8, after line 10, insert—

'(9) Qualifications Wales must undertake an assessment of any effect a determination under this section may have on the qualifications market.'.

Adran 14, tudalen 8, ar ôl llinell 10, mewnosoder—

'(9) Rhaid i Gymwysterau Cymru gynnal asesiad o unrhyw effaith y caiff penderfyniad o dan yr adran hon ar y farchnad gymwysterau.'.

Huw Lewis **1**

Section 22, page 11, line 9, after 'which', insert ', or the persons or descriptions of persons to whom,'.

Adran 22, tudalen 11, llinell 9, ar ôl 'ddyfarnu', mewnosoder ', neu at y personau neu'r disgrifiadau o bersonau y dyfernir cymhwyster iddynt'.

Suzy Davies **70**

Section 24, page 11, after line 34, insert—

'(c) the circumstances in which Qualifications Wales may give pre-application advice prior to an awarding body making an application for approval and the nature of the advice which may be sought.'.

Adran 24, tudalen 11, ar ôl llinell 36, mewnosoder—

'(c) yr amgylchiadau y caiff Cymwysterau Cymru roi cyngor cyn gwneud cais cyn i gorff dyfarnu wneud cais am gymeradwyaeth a natur y cyngor y caniateir ei geisio.'.

Huw Lewis **2**

Section 27, page 13, line 29, leave out subsections (7) to (8) and insert—

‘( ) Where notice under subsection (6) is given, the date specified in the notice as the withdrawal date is to be treated, as from the date on which the notice is given, as being the withdrawal date for the purposes of any further notice under that subsection.’.

Adran 27, tudalen 13, llinell 31, hepgorer is-adrannau (7) hyd at (8) a mewnosoder—

‘( ) Pan roddir hysbysiad o dan is-adran (6), mae’r dyddiad a bennir yn yr hysbysiad fel y dyddiad tynnu’n ôl i gael ei drin, o’r dyddiad y rhoddir yr hysbysiad, fel y dyddiad tynnu’n ôl at ddibenion unrhyw hysbysiad pellach o dan yr is-adran honno.’.

Huw Lewis **26**

To insert a new section—

‘PART 5

DESIGNATION OF OTHER QUALIFICATIONS

[ ] Designation of other qualifications

(1) Qualifications Wales may, on application under subsection (2), designate a form of qualification under this section.

(2) An application under this subsection is an application by a recognised body to Qualifications Wales for a form of qualification—

(a) offered by it, and

(b) in respect of which it is recognised,

to be designated under this section.

(3) Qualifications Wales may not designate a form of qualification under this section unless it is satisfied that the following conditions are met.

(4) The conditions are that—

(a) it would be appropriate for a course of education or training that is within section 29(2) and that leads to the award of the form of qualification to be publicly funded, and

(b) it is currently appropriate, with a view to permitting that public funding, to designate the form of qualification under this section rather than approve it under Part 4.

(5) For the purposes of subsection (4)(a) a course of education or training is publicly funded if it is funded by the Welsh Ministers or a local authority in Wales, or provided by or on behalf of a maintained school in Wales (within the meaning given by section 29(10)).

(6) The reference in subsection (4)(a) to a course of education or training is a reference to a specific course of education or training or to such courses generally.

(7) In this Part, references to a section [*section to be inserted by this amendment*] designation are to a designation of a form of a qualification under this section.’.

I fewnosod adran newydd—

'RHAN 5

DYNODI CYMWYSTERAU ERAILL

[ ] Dynodi cymwysterau eraill

(1) Caiff Cymwysterau Cymru, ar gais o dan is-adran (2), ddynodi ffurf ar gymhwyster o dan yr adran hon.

(2) Mae cais o dan yr is-adran hon yn gais gan gorff cydnabyddedig i Gymwysterau Cymru i ffurf ar gymhwyster—

(a) a gynigir ganddo, a

(b) y'i cydnabyddir mewn cysylltiad â hi,

gael ei dynodi o dan yr adran hon.

(3) Ni chaiff Cymwysterau Cymru ddynodi ffurf ar gymhwyster o dan yr adran hon oni bai ei fod wedi ei fodloni bod yr amodau a ganlyn wedi eu bodloni.

(4) Yr amodau yw—

(a) y byddai'n briodol i gwrs addysg neu hyfforddiant sydd o fewn adran 29(2) ac sy'n arwain at ddyfarnu'r ffurf ar gymhwyster gael ei gyllido'n gyhoeddus, a

(b) ei bod yn briodol ar hyn o bryd, gyda golwg ar ganiatáu'r cyllid cyhoeddus hwnnw, ddynodi'r ffurf ar gymhwyster o dan yr adran hon yn hytrach na'i chymeradwyo o dan Ran 4.

(5) At ddibenion is-adran (4)(a) mae cwrs addysg neu hyfforddiant yn cael ei gyllido'n gyhoeddus os y'i cyllidir gan Weinidogion Cymru neu awdurdod lleol yng Nghymru, neu os y'i darperir gan neu ar ran ysgol a gynhelir yng Nghymru (o fewn yr ystyr a roddir gan adran 29(10)).

(6) Mae'r cyfeiriad yn is-adran (4)(a) at gwrs addysg neu hyfforddiant yn gyfeiriad at gwrs addysg neu hyfforddiant penodol neu at gyrsiau o'r fath yn gyffredinol.

(7) Yn y Rhan hon, mae cyfeiriadau at ddynodiad adran [*adran i'w mewnosod gan y gwelliant hwn*] yn gyfeiriadau at ddynodi ffurf ar gymhwyster o dan yr adran hon.'.

Suzy Davies **27A**

As an amendment to amendment 27, after line 28, insert—

(8) Welsh Ministers must, within six months of this Act gaining Royal Assent, make Regulations specifying details of the maximum time period that a designation made under section [*section to be inserted by amendment 26*] may have effect.

Fel gwelliant i welliant 27, ar ôl llinell 28, mewnosoder—

(8) Rhaid i Weinidogion Cymru, o fewn chwe mis i'r Deddf gael Cydsyniad Brenhinol, wneud Rheoliadau yn nodi manylion y cyfnod amser hwyaf y caiff dynodiad a wneir o dan adran [*adran i'w mewnosod gan welliant 26*] gael effaith.

Huw Lewis **27**

To insert a new section—

‘[ ] Further provision about section [*section to be inserted by amendment 26*] designations

(1) If Qualifications Wales makes a section [*section to be inserted by amendment 26*] designation, it must specify the date from which the designation has effect and the date with the expiry of which it ceases to have effect.

(2) A section [*section to be inserted by amendment 26*] designation ceases to have effect –

(a) if the awarding body in respect of which the form of qualification in question is designated ceases to be recognised in respect of that form of qualification, at the same time as that recognition ceases to have effect (for which see paragraph 1(2) of Schedule 3);

(b) if the form of qualification in question is approved under Part 4, from the coming into effect of the approval as specified under section 23 (but see section [*section to be inserted by amendment 28*]).

(3) Subsection (4) applies where a form of a qualification is designated under section [*section to be inserted by amendment 26*] and the qualification is a restricted priority qualification (for which see section 14).

(4) The section [*section to be inserted by amendment 26*] designation referred to in subsection (3) ceases to have effect from the coming into effect of the first approval of any form of the restricted priority qualification under section 16 or 17 as specified under section 23 (but see section [*section to be inserted by amendment 28*]).

(5) If a section [*section to be inserted by amendment 26*] designation ceases to have effect in accordance with subsection (2) or (4), Qualifications Wales must give the awarding body concerned notice of the date from which the designation ceases to have effect.

(6) Qualifications Wales may specify that a section [*section to be inserted by amendment 26*] designation is to have effect for specific purposes, including by reference to the circumstances in which the qualification is awarded and the person or description of person to whom the qualification may be awarded.

(7) A section [*section to be inserted by amendment 26*] designation must be published by Qualifications Wales.’.

I fewnosod adran newydd—

‘[ ] Darpariaeth bellach ynghylch dynodiadau adran [*adran i’w mewnosod gan welliant 26*]

(1) Os yw Cymwysterau Cymru yn gwneud dynodiad adran [*adran i’w mewnosod gan welliant 26*], rhaid iddo bennu’r dyddiad y mae’r dynodiad yn cael effaith ohono a’r dyddiad y mae’n peidio â chael effaith pan ddaw i ben.

(2) Mae dynodiad adran [*adran i’w mewnosod gan welliant 26*] yn peidio â chael effaith—

(a) os yw’r corff dyfarnu y mae’r ffurf ar gymhwyster o dan sylw wedi ei dynodi mewn cysylltiad ag ef yn peidio â chael ei gydnabod mewn cysylltiad â’r ffurf honno ar gymhwyster, ar yr un pryd ag y mae’r gydnabyddiaeth honno yn peidio â chael effaith (gweler paragraff 1(2) o Atodlen 3 am hyn);

(b) os yw'r ffurf ar gymhwyster o dan sylw yn cael ei chymeradwyo o dan Ran 4, o ddyfodiad i rym y gymeradwyaeth fel y'i pennir o dan adran 23 (ond gweler adran [*adran i'w mewnosod gan welliant 28*]).

(3) Mae is-adran (4) yn gymwys pan fo ffurf ar gymhwyster wedi ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*] a bod y cymhwyster yn gymhwyster blaenoriaethol cyfyngedig (gweler adran 14 am hyn).

(4) Mae'r dynodiad adran [*adran i'w mewnosod gan welliant 26*] y cyfeirir ato yn is-adran (3) yn peidio â chael effaith o ddyfodiad i rym y gymeradwyaeth gyntaf i unrhyw ffurf ar y cymhwyster blaenoriaethol cyfyngedig o dan adran 16 neu 17 fel y'i pennir o dan adran 23 (ond gweler adran [*adran i'w mewnosod gan welliant 28*]).

(5) Os yw dynodiad adran [*adran i'w mewnosod gan welliant 26*] yn peidio â chael effaith yn unol ag is-adran (2) neu (4), rhaid i Gymwysterau Cymru roi i'r corff dyfarnu o dan sylw hysbysiad am y dyddiad y mae'r dynodiad yn peidio â chael effaith ohono.

(6) Caiff Cymwysterau Cymru bennu bod dynodiad adran [*adran i'w mewnosod gan welliant 26*] i gael effaith at ddibenion penodol, gan gynnwys drwy gyfeirio at yr amgylchiadau y dyfernir y cymhwyster odanynt a'r person neu'r disgrifiad o berson y caniateir i'r cymhwyster gael ei ddyfarnu iddo.

(7) Rhaid i Gymwysterau Cymru gyhoeddi dynodiad adran [*adran i'w mewnosod gan welliant 26*].'.

Huw Lewis **28**

To insert a new section—

'[ ] Transitional provision in connection with section [*section to be inserted by amendment 26*] designations

(1) If Qualifications Wales considers it appropriate to do so for the purpose of avoiding prejudice to persons who are seeking, or might reasonably be expected to seek, to obtain a form of qualification that has been designated under section [*section to be inserted by amendment 26*], it may make provision that is within subsection (2).

(2) Provision within this subsection is provision to the effect that, despite section [*section to be inserted by amendment 27*](2)(b) or (4), a form of qualification designated under section [*section to be inserted by amendment 26*] is to be treated, for purposes specified by Qualifications Wales, as being designated under section [*section to be inserted by amendment 26*] until the expiry of a date specified by Qualifications Wales.'.

I fewnosod adran newydd—

'[ ] Darpariaeth drosiannol mewn cysylltiad â dynodiadau adran [*adran i'w mewnosod gan welliant 26*]

(1) Os yw Cymwysterau Cymru yn ystyried ei bod yn briodol gwneud hynny at ddiben osgoi effaith andwyol ar bersonau sy'n ceisio cael, neu y gellid disgwyl yn rhesymol iddynt geisio cael, ffurf ar gymhwyster sydd wedi ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*], caiff wneud darpariaeth sydd o fewn is-adran (2).

(2) Mae darpariaeth o fewn yr is-adran hon yn ddarpariaeth i'r perwyl, er gwaethaf adran

[*adran i'w mewnosod gan welliant 27*](2)(b) neu (4), fod ffurf ar gymhwyster sydd wedi ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*] i gael ei thrin, at ddibenion a bennir gan Gymwysterau Cymru, fel pe bai wedi ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*] hyd nes y daw dyddiad a bennir gan Gymwysterau Cymru i ben.'.

Huw Lewis **29**

To insert a new section—

'[ ] Revocation of section [*section to be inserted by amendment 26*] designations

(1) Qualifications Wales may revoke a section [*section to be inserted by amendment 26*] designation.

(2) Before revoking a section [*section to be inserted by amendment 26*] designation, Qualifications Wales must give the recognised body in respect of which the form of qualification in question is designated notice of its intention to do so.

(3) The notice must—

(a) explain why Qualifications Wales proposes to revoke the section [*section to be inserted by amendment 26*] designation, and

(b) specify when Qualifications Wales proposes to decide whether to revoke the section [*section to be inserted by amendment 26*] designation.

(4) In deciding whether to revoke a section [*section to be inserted by amendment 26*] designation, Qualifications Wales must have regard to any representations made by the recognised body.

(5) If Qualifications Wales decides to revoke a section [*section to be inserted by amendment 26*] designation, it must give notice to the recognised body of the decision explaining when the revocation is to take effect.

(6) The revocation is to take effect on 1 September falling in the year after the decision to revoke has been made but the revocation applies only in relation to a learner starting a course of education or training on or after that date.

(7) The notice under subsection (5) must be given—

(a) if the decision to revoke is made on 31 December, on that day, or

(b) if the decision to revoke is made on any other day, promptly and in any event on or before the 31 December following the decision.

(8) Notice of a decision to revoke a section [*section to be inserted by amendment 26*] designation must be published by Qualifications Wales.'.

I fewnosod adran newydd—

‘[ ] Dirymu dynodiadau adran [*adran i’w mewnosod gan welliant 26*]

(1) Caiff Cymwysterau Cymru ddirymu dynodiad adran [*adran i’w mewnosod gan welliant 26*].

(2) Cyn dirymu dynodiad adran [*adran i’w mewnosod gan welliant 26*], rhaid i Gymwysterau Cymru roi i’r corff cydnabyddedig y mae’r ffurf ar gymhwyster o dan sylw wedi ei dynodi mewn cysylltiad ag ef hysbysiad am ei fwriad i wneud hynny.

(3) Rhaid i’r hysbysiad—

(a) esbonio pam y mae Cymwysterau Cymru yn bwriadu dirymu’r dynodiad adran [*adran i’w mewnosod gan welliant 26*], a

(b) pennu pa bryd y mae Cymwysterau Cymru yn bwriadu penderfynu pa un ai i ddirymu’r dynodiad adran [*adran i’w mewnosod gan welliant 26*].

(4) Wrth benderfynu pa un ai i ddirymu dynodiad adran [*adran i’w mewnosod gan welliant 26*], rhaid i Gymwysterau Cymru roi sylw i unrhyw sylwadau a gyflwynir gan y corff cydnabyddedig.

(5) Os yw Cymwysterau Cymru yn penderfynu dirymu dynodiad adran [*adran i’w mewnosod gan welliant 26*], rhaid iddo roi hysbysiad i’r corff cydnabyddedig am y penderfyniad gan esbonio pa bryd y mae’r dirymiad i gymryd effaith.

(6) Mae’r dirymiad i gymryd effaith ar 1 Medi sy’n dod yn y flwyddyn ar ôl i’r penderfyniad i ddirymu gael ei wneud ond dim ond mewn perthynas â dysgwr sy’n dechrau cwrs addysg neu hyfforddiant ar neu ar ôl y dyddiad hwnnw y mae’r dirymiad yn gymwys.

(7) Rhaid i’r hysbysiad o dan is-adran (5) gael ei roi—

(a) os gwneir y penderfyniad i ddirymu ar 31 Rhagfyr, ar y diwrnod hwnnw, neu

(b) os gwneir y penderfyniad i ddirymu ar unrhyw ddiwrnod arall, yn ddi-oed a beth bynnag ar neu cyn y 31 Rhagfyr ar ôl y penderfyniad.

(8) Rhaid i Gymwysterau Cymru gyhoeddi hysbysiad am benderfyniad i ddirymu dynodiad adran [*adran i’w mewnosod gan welliant 26*].’.

Huw Lewis **30**

Section 29, page 14, line 24, leave out ‘the requirement in subsection (3)’ and insert ‘a requirement set out in subsection (3) or [*second new subsection to be inserted by amendment 31*]’.

Adran 29, tudalen 14, llinell 26, hepgorer ‘y gofyniad yn is-adran (3)’ a mewnosoder ‘gofyniad a nodir yn is-adran (3) neu [*ail is-adran newydd i’w mewnosod gan welliant 31*]’.

Huw Lewis **31**

Section 29, page 14, line 33, leave out 'the form of the qualification to which the course leads is a Welsh version of the qualification' and insert—
'—

(a) the form of qualification to which the course leads is awarded by a recognised body pursuant to the approval of that form of qualification under Part 4 for award in Wales, and

(b) if the form of the qualification is subject to an award limitation condition, the provision of the course is not such that it leads to the award of the qualification to a person otherwise than in accordance with that condition.

( ) In subsection (3)(b), an award limitation condition is a condition to which approval of the form of qualification under Part 4 is subject and which relates to the person or description of person to whom the qualification may be awarded.

( ) The requirement is that—

(a) the form of the qualification to which the course leads is awarded by a recognised body and is designated under section [*section to be inserted by amendment 26*], and

(b) if Qualifications Wales has specified purposes under section [*section to be inserted by amendment 27*](6) for which the designation is to have effect, the provision of the course is not such that it leads to the award of the qualification otherwise than in accordance with those purposes.'.

Adran 29, tudalen 14, llinell 35, hepgorer 'bod y ffurf ar y cymhwyster y mae'r cwrs yn arwain ati yn fersiwn Gymreig o'r cymhwyster' a mewnosoder—
'—

(a) y caiff y ffurf ar gymhwyster y mae'r cwrs yn arwain ati ei dyfarnu gan gorff cydnabyddedig yn unol â chymeradwyaeth i'r ffurf honno ar y cymhwyster o dan Ran 4 at ddiben ei dyfarnu yng Nghymru, a

(b) os yw'r ffurf ar y cymhwyster yn ddarostyngedig i amod sy'n cyfyngu ar ddyfarniad, na ddarperir y cwrs mewn ffordd sy'n arwain at ddyfarnu'r cymhwyster i berson ac eithrio yn unol â'r amod hwnnw.

( ) Yn is-adran (3)(b), mae amod sy'n cyfyngu ar ddyfarniad yn amod y mae cymeradwyaeth i'r ffurf ar gymhwyster o dan Ran 4 yn ddarostyngedig iddo ac sy'n ymwneud â'r person neu'r disgrifiad o berson y caniateir i'r cymhwyster gael ei ddyfarnu iddo.

( ) Y gofyniad yw—

(a) y caiff y ffurf ar y cymhwyster y mae'r cwrs yn arwain ati ei dyfarnu gan gorff cydnabyddedig ac y caiff ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*], a

(b) os yw Cymwysterau Cymru wedi pennu dibenion o dan adran [*adran i'w mewnosod gan welliant 27*](6) y mae'r dynodiad i gael effaith atynt, na ddarperir y cwrs mewn ffordd sy'n arwain at ddyfarnu'r cymhwyster ac eithrio yn unol â'r dibenion hynny'.

Huw Lewis **3**

Section 29, page 15, line 1, leave out 'a course of education or training provided' and insert 'the provision of a course of education or training'.

Adran 29, tudalen 15, llinell 1, hepgorer 'chwrs addysg neu hyfforddiant a ddarperir' a mewnosoder 'darparu cwrs addysg neu hyfforddiant'.

Huw Lewis **32**

Section 29, page 15, line 22, leave out subsection (11).

Adran 29, tudalen 15, llinell 22, hepgorer is-adran (11).

Huw Lewis **33**

Section 30, page 15, line 33, leave out 'Welsh version of a qualification (but this does not affect the application, if any, of those conditions in respect of or for the purposes of the award in Wales of a form of that qualification that is not a Welsh version of the qualification)' and insert 'form of qualification pursuant to its approval under Part 4 (but this does not affect the application, if any, of those conditions in respect of or for the purposes of the award in Wales of a form of qualification that is not an approved qualification, even if that form is designated under section [*section to be inserted by amendment 26*])'.

Adran 30, tudalen 15, llinell 33, hepgorer 'fersiwn Gymreig o gymhwyster (ond nid yw hyn yn effeithio ar gymhwyso, os oes cymhwyso, yr amodau hynny mewn cysylltiad â dyfarnu, neu at ddibenion dyfarnu, yng Nghymru ffurf ar y cymhwyster hwnnw nad yw'n fersiwn Gymreig o'r cymhwyster)' a mewnosoder 'ffurf ar gymhwyster yn unol â chymeradwyaeth iddi o dan Ran 4 (ond nid yw hyn yn effeithio ar gymhwyso, os oes cymhwyso, yr amodau hynny mewn cysylltiad â dyfarnu, neu at ddibenion dyfarnu, yng Nghymru ffurf ar gymhwyster nad yw'n gymhwyster a gymeradwywyd, hyd yn oed os yw'r ffurf honno wedi ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*])'.

Huw Lewis **34**

Section 30, page 16, line 3, leave out 'of a Welsh version of a qualification (as defined in section 29 of that Act)' and insert 'by an awarding body of a form of a qualification pursuant to its approval under Part 4 of that Act'.

Adran 30, tudalen 16, llinell 3, hepgorer 'of a Welsh version of a qualification (as defined in section 29 of that Act)' a mewnosoder 'by an awarding body of a form of a qualification pursuant to its approval under Part 4 of that Act'.

Huw Lewis **35**

Section 31, page 16, line 12, leave out 'does not apply in respect of, or for the purposes of, the award (whether in Wales or elsewhere) by an awarding body recognised under Part 3 of a form of a qualification that is not a Welsh version of a qualification' and insert 'applies only in respect of, or for the purposes of, the award in Wales by an awarding body of a form of a qualification in respect of the award of which the body is recognised under Part 3'.

Adran 31, tudalen 16, llinell 11, hepgorer 'yn gymwys mewn cysylltiad â dyfarnu, neu at ddibenion dyfarnu, (pa un ai yng Nghymru neu yn rhywle arall), gan gorff dyfarnu a gydnabyddir o dan Ran 3, ffurf ar gymhwyster nad yw'n fersiwn Gymreig o gymhwyster' a mewnosoder 'ond yn gymwys mewn cysylltiad â dyfarnu, neu at ddibenion dyfarnu, yng Nghymru gan gorff dyfarnu ffurf ar gymhwyster y cydnabyddir y corff o dan Ran 3 mewn cysylltiad â'i dyfarnu'.

Huw Lewis **4**

Section 39, page 21, line 6, leave out 'a constable' and insert 'any constable accompanying the authorised person in accordance with the order'.

Adran 39, tudalen 21, llinell 7, hepgorer 'a chwnstabl' a mewnosoder 'ac unrhyw gwnstabl sy'n mynd gyda'r person awdurdodedig yn unol â'r gorchymyn'.

Huw Lewis **5**

Section 39, page 21, line 28, leave out 'make provision for' and insert 'permit or require'.

Adran 39, tudalen 21, llinell 31, hepgorer 'gwneud darpariaeth' a mewnosoder 'caniatáu neu ei gwneud yn ofynnol'.

Suzy Davies **71**

Section 40, page 22, after line 6, insert—

'( ) Prior to any commercial activities being undertaken by Qualifications Wales under this section, the Welsh Ministers must prepare a protocol to which Qualifications Wales must have regard.'.

Adran 40, tudalen 22, ar ôl llinell 7, mewnosoder—

'( ) Cyn i Gymwysterau Cymru gynnal unrhyw weithgareddau masnachol o dran yr adran hon, rhaid i Weinidogion Cymru baratoi protocol y bydd yn rhaid i Gymwysterau Cymru roi sylw iddo. '.

Huw Lewis **36**

Section 41, page 22, leave out lines 17 to 19 and insert—

'( ) the awarding of approved qualifications by a recognised body;

( ) the awarding of forms of qualification designated under section [*section to be inserted by amendment 26*] by a recognised body;

( ) any other activities of a recognised body which Qualifications Wales considers are relevant to the body's recognition;'.

Adran 41, tudalen 22, hepgorer llinellau 19 hyd at 21 a mewnosoder—

'( ) dyfarnu cymwysterau a gymeradwywyd gan gorff cydnabyddedig;

( ) dyfarnu ffurfiau ar gymhwyster sydd wedi eu dynodi o dan adran [*adran i'w mewnosod gan welliant 26*] gan gorff cydnabyddedig;

( ) unrhyw weithgareddau eraill corff cydnabyddedig y mae Cymwysterau Cymru yn ystyried eu bod yn berthnasol i gydnabyddiaeth y corff;'.

Huw Lewis **37**

Section 42, page 22, after line 30, insert—

'( ) Part [*new Part to be inserted by amendment 26*] (designation of other qualifications);'.

Adran 42, tudalen 22, ar ôl llinell 32, mewnosoder—

'( ) Rhan [*Rhan newydd i'w mewnosod gan welliant 26*] (dynodi cymwysterau eraill);'.

Huw Lewis **38**

Section 42, page 23, after line 2, insert—

'( ) matters likely to be taken into account by Qualifications Wales in deciding whether to designate a form of qualification under section [*section to be inserted by amendment 26*], in determining the period for which such a designation is to have effect and in deciding whether to revoke such a designation;'.

Adran 42, tudalen 23, ar ôl llinell 2, mewnosoder—

'( ) y materion sy'n debygol o gael eu hystyried gan Gymwysterau Cymru wrth benderfynu pa un ai i ddynodi ffurf ar gymhwyster o dan adran [*adran i'w mewnosod gan welliant 26*], wrth benderfynu ar y cyfnod y mae dynodiad o'r fath i gael effaith ar ei gyfer ac wrth benderfynu pa un ai i ddirymu dynodiad o'r fath;'.

Huw Lewis **39**

Section 43, page 23, leave out lines 34 to 36 and insert—

'( ) the awarding of approved qualifications by a recognised body;

( ) the awarding of forms of qualification designated under section [*section to be inserted by amendment 26*] by a recognised body;

( ) any other activities of a recognised body which Qualifications Wales considers are relevant to the body's recognition.'.

Adran 43, tudalen 23, hepgorer llinellau 35 hyd at 37 a mewnosoder—

'( ) â dyfarnu cymwysterau a gymeradwywyd gan gorff cydnabyddedig;

( ) â dyfarnu ffurfiau ar gymhwyster sydd wedi eu dynodi o dan adran [*adran i'w mewnosod gan welliant 26*] gan gorff cydnabyddedig;

( ) ag unrhyw weithgareddau eraill corff cydnabyddedig y mae Cymwysterau Cymru yn ystyried eu bod yn berthnasol i gydnabyddiaeth y corff.'.

Huw Lewis **6**

Section 44, page 24, line 9, leave out 'must prepare a scheme setting out the fees (if any) that are payable' and insert 'may charge fees to be paid'.

Adran 44, tudalen 24, llinell 8, hepgorer 'Rhaid i Gymwysterau Cymru lunio cynllun sy'n nodi'r ffioedd (os oes rhai) sy'n daladwy' a mewnosoder 'Caiff Cymwysterau Cymru godi ffioedd sydd i'w talu'.

Huw Lewis **40**

Section 44, page 24, after line 13, insert—

'( ) the exercise of its functions under Part [*new Part to be inserted by amendment 26*] (designation of other qualifications),'.

Adran 44, tudalen 24, ar ôl llinell 12, mewnosoder—

'( ) ag arfer ei swyddogaethau o dan Ran [*Rhan newydd i'w mewnosod gan welliant 26*] (dynodi cymwysterau eraill),'.

Huw Lewis **7**

Section 44, page 24, line 19, leave out 'the scheme' and insert 'a scheme prepared by Qualifications Wales that sets out the fees payable in respect of those matters'.

Adran 44, tudalen 24, llinell 17, hepgorer 'â'r cynllun' a mewnosoder 'â chynllun a luniwyd gan Gymwysterau Cymru sy'n nodi'r ffioedd sy'n daladwy mewn cysylltiad â'r materion hynny'.

Suzy Davies **72**

Section 44, page 24, after line 19, insert—

'( ) Qualifications Wales must review annually the effect, if any, of any charges it has made in accordance with the scheme on any awarding bodies, including any potential consequential effect on third parties.'.

Adran 44, tudalen 24, ar ôl llinell 17, mewnosoder—

'( ) Rhaid i Gymwysterau Cymru adolygu'n flynyddol effaith unrhyw ffioedd a godwyd ganddo ar unrhyw gyrff dyfarnu, os o gwbl, gan gynnwys unrhyw effaith ganlyniadol bosibl ar drydydd partïon.'.

Huw Lewis **8**

Section 49, page 25, after line 12, insert—

'( ) section 41(1)(a) and (b) (review of recognised bodies and of approved qualifications);'.

Adran 49, tudalen 25, ar ôl llinell 12, mewnosoder—

'( ) adran 41(1)(a) a (b) (adolygu cyrff cydnabyddedig a chymwysterau a gymeradwywyd);'.

Simon Thomas **60**

To insert a new section—

'Duty of Welsh Ministers

[ ] **Duty of Welsh Ministers to promote**

(1) The Welsh Ministers must take all reasonable steps to promote the Welsh qualification system and the aims of Qualifications Wales.

(2) The Welsh Ministers must promote the Welsh qualification system and the aims of Qualifications Wales particularly to the following groups—

(a) parents;

(b) employers;

(c) teachers;

(d) further education institutions;

(e) higher education institutions;

(f) training bodies;

(g) pupils; and

(h) students. '.

I fewnosod adran newydd—

'Dyletswydd Gweinidogion Cymru

[ ] **Dyletswydd Gweinidogion Cymru i hyrwyddo**

(1) Rhaid i Weinidogion Cymru gymryd pob cam rhesymol i hyrwyddo system gymwysterau Cymru a nodau Cymwysterau Cymru.

(2) Rhaid i Weinidogion Cymru hyrwyddo system gymwysterau Cymru a nodau Cymwysterau Cymru yn benodol i'r grwpiau a ganlyn—

(a) rhieni;

(b) cyflogwyr;

(c) athrawon;

(d) sefydliadau addysg bellach;

(e) sefydliadau addysg uwch;

(f) cyrff hyfforddi;

(g) disgyblion; ac

(h) myfyrwyr.'.

Simon Thomas **61**

To insert a new section—

'Duty of Welsh Ministers

[ ] **Duty of Welsh Ministers to report**

The Welsh Ministers must lay before the Assembly within two years of Royal Assent a report setting out whether or not Qualifications Wales will become an issuing authority for apprenticeships, and if so in what manner.'.

I fewnosod adran newydd—

'Dyletswydd Gweinidogion Cymru

[ ] **Dyletswydd Gweinidogion Cymru i adrodd**

Rhaid i Weinidogion Cymru osod gerbron y Cynulliad, o fewn dwy flynedd i gael Cydsyniad Brenhinol, adroddiad sy'n nodi a fydd Cymwysterau Cymru yn dod yn awdurdod dyroddi ar gyfer prentisiaethau ai peidio, ac os felly, ym mha fodd.'.

Suzy Davies **73**

Section 50, page 25, after line 27, insert—

'( ) regulations made under section [*subsection to be inserted by amendment 27A*] (duty to set maximum time period for designations made under section [*section to be inserted by amendment 26*]).'.

Adran 50, tudalen 25, ar ôl llinell 28, mewnosoder—

'( ) rheoliadau a wneir o dan adran [*is-adran i'w mewnosod gan welliant 27A*] (dyletswydd i bennu cyfnod amser hwyaf ar gyfer dynodiadau a wneir o dan adran [*adran i'w mewnosod gan welliant 26*]).'.

Aled Roberts **66**

Section 51, page 26, after line 6, insert—

'(d) Access to Higher Education Diplomas.'.

Adran 51, tudalen 26, ar ôl llinell 6, mewnosoder—

'(d) Mynediad at Ddiplomâu Addysg Uwch.'.

Huw Lewis **9**

Section 55, page 28, after line 28, insert—

'( ) section 2(3);'.

Adran 55, tudalen 28, ar ôl llinell 32, mewnosoder—

'( ) section 2(3);'.

Huw Lewis **10**

Section 55, page 28, after line 32, insert—

‘(f) Schedule 2.’.

Adran 55, tudalen 28, ar ôl llinell 36, mewnosoder—

‘(f) Atodlen 2.’.

Suzy Davies **74**

Section 55, page 29, after line 4, insert—

‘(4) A statutory instrument containing an Order making provision under subsection (3)(b) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.’.

Adran 55, tudalen 29, ar ôl llinell 4, mewnosoder—

‘(4) Mae offeryn statudol sy’n cynnwys darpariaeth i wneud Gorchymyn o dan is-adran (3)(b) yn ddarostyngedig i ddiddymiad yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.’.

Aled Roberts **67**

Schedule 1, page 34, after line 6, insert—

‘( ) details setting out the rationale for prioritising and restricting academic and vocational qualifications during the reporting period.’.

Atodlen 1, tudalen 34, ar ôl llinell 6, mewnosoder—

‘( ) manylion yn nodi’r sail resymegol dros flaenoriaethu a chyfyngu ar gymwysterau academaidd a galwedigaethol yn ystod y cyfnod adrodd.’.

Aled Roberts **68**

Schedule 1, page 34, line 7, leave out ‘whether, and if so,’.

Atodlen 1, tudalen 34, llinell 7, hepgorer ‘a yw Cymwysterau Cymru wedi cynnwys rhanddeiliaid wrth arfer ei swyddogaethau yn ystod y cyfnod adrodd ac, os ydyw, sut y mae wedi gwneud hynny’ a mewnosoder ‘sut y mae Cymwysterau Cymru wedi cynnwys rhanddeiliaid wrth arfer ei swyddogaethau yn ystod y cyfnod adrodd’.

Aled Roberts **69**

Schedule 1, page 34, after line 8, insert—

‘( ) details of the conclusions of any assessment undertaken by Qualifications Wales under section 14(*subsection to be inserted by amendment 65*) during the reporting period of any impact on the qualifications market of decisions made to restrict priority qualifications.’.

Atodlen 1, tudalen 34, ar ôl llinell 9, mewnosoder—

> '( ) manylion casgliadau unrhyw asesiad a gynhelir gan Gymwysterau Cymru o dan adran 14(*is-adran i'w mewnosod gan welliant 65*) yn ystod y cyfnod adrodd o unrhyw effaith ar y farchnad gymwysterau yn sgil penderfyniadau a wneir i gyfyngu ar gymwysterau blaenoriaethol.'.

Suzy Davies **75**

Schedule 1, page 34, after line 10, insert—

> '(d) details of the review conducted in accordance with section 44(*subsection to be inserted by amendment 72*).'.

Atodlen 1, tudalen 34, ar ôl llinell 12, mewnosoder—

> '(d) manylion yr adolygiad a gynhaliwyd yn unol ag adran 44(*is-adran i'w mewnosod gan welliant 72*).'.

Huw Lewis **11**

Schedule 3, page 39, line 11, leave out '(whether by reason of surrender or withdrawal, or otherwise)'.

Atodlen 3, tudalen 39, llinell 11, hepgorer '(pa un ai oherwydd ildio neu dynnu'n ôl, neu fel arall)'.

Huw Lewis **41**

Schedule 3, page 39, line 22, after 'qualification', insert '(including by reference to whether or not a qualification is an approved qualification or a qualification designated under section [*section to be inserted by amendment 26*])'.

Atodlen 3, tudalen 39, llinell 23, ar ôl 'gymhwyster', mewnosoder '(gan gynnwys drwy gyfeirio at ba un a yw cymhwyster yn gymhwyster a gymeradwywyd neu'n gymhwyster sydd wedi ei ddynodi o dan adran [*adran i'w mewnosod gan welliant 26*] ai peidio)'.

Huw Lewis **42**

Schedule 3, page 40, after line 20, insert—

> '( ) different qualifications or descriptions of qualification (including by reference to whether or not a qualification is an approved qualification or a qualification designated under section [*section to be inserted by amendment 26*]);'.

Atodlen 3, tudalen 40, ar ôl llinell 20, mewnosoder—

> '( ) cymwysterau gwahanol neu ddisgrifiadau gwahanol o gymhwyster (gan gynnwys drwy gyfeirio at ba un a yw cymhwyster yn gymhwyster a gymeradwywyd neu'n gymhwyster sydd wedi ei ddynodi o dan adran [*adran i'w mewnosod gan welliant 26*] ai peidio);'.

Huw Lewis **43**

Schedule 3, page 40, after line 33, insert—

'( ) the award by the body to a person of a form of a qualification that is designated under section [*section to be inserted by amendment 26*], or'.

Atodlen 3, tudalen 40, ar ôl llinell 33, mewnosoder—

'( ) dyfarnu gan y corff i berson ffurf ar gymhwyster sydd wedi ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*], neu'.

Huw Lewis **44**

Schedule 3, page 40, line 35, after 'qualification', insert 'or of a form of qualification designated under section [*section to be inserted by amendment 26*], as the case may be'.

Atodlen 3, tudalen 40, llinell 35, ar ôl 'gymeradwywyd', mewnosoder 'neu ffurf ar gymhwyster sydd wedi ei dynodi o dan adran [*adran i'w mewnosod gan welliant 26*], yn ôl y digwydd'.

Huw Lewis **45**

Schedule 3, page 42, line 25, leave out 'approved by Qualifications Wales and which is or has been awarded by the body may be awarded by another awarding body' and insert—

'which is or has been awarded by the body may be awarded by another awarding body where—

(a) the form of qualification has been approved by Qualifications Wales, or

(b) the form of qualification has been designated by Qualifications Wales under] section [*section to be inserted by amendment 26*]'.

Atodlen 3, tudalen 42, llinell 26, hepgorer 'sydd wedi ei chymeradwyo gan Gymwysterau Cymru, ac sy'n cael ei dyfarnu neu sydd wedi ei dyfarnu gan y corff, gael ei dyfarnu gan gorff dyfarnu arall' a mewnosoder—

'sy'n cael ei dyfarnu neu sydd wedi ei dyfarnu gan y corff gael ei dyfarnu gan gorff dyfarnu arall —

(a) pan fo'r ffurf ar gymhwyster wedi ei chymeradwyo gan Gymwysterau Cymru, neu

(b) pan fo'r ffurf ar gymhwyster wedi ei dynodi gan Gymwysterau Cymru o dan adran [*adran i'w mewnosod gan welliant 26*]'.

Huw Lewis **46**

Schedule 3, page 44, line 4, leave out 'to Qualifications Wales that it wishes to cease to be recognised in respect of the award of a qualification or description of qualification (a "surrender notice")' and insert—

'(a "surrender notice") to Qualifications Wales that it wishes to cease to be recognised in respect of —

(a) the award of a specified qualification or description of qualification, or

(b) every qualification in respect of which it is recognised'.

Atodlen 3, tudalen 44, llinell 5, hepgorer 'i Gymwysterau Cymru ei fod yn dymuno peidio â chael ei gydnabod mewn cysylltiad â dyfarnu cymhwyster neu ddisgrifiad o gymhwyster ("hysbysiad ildio")' a mewnosoder—
'("hysbysiad idlio") i Gymwysterau Cymru ei fod yn dymuno peidio â chael ei gydnabod mewn cysylltiad—

(a) â dyfarnu cymhwyster penodedig neu ddisgrifiad penodedig o gymhwyster, neu

(b) â phob cymhwyster y'i cydnabyddir mewn cysylltiad ag ef'.

Huw Lewis **47**

Schedule 3, page 44, line 17, after 'Recognition', insert 'in the respect concerned'.

Atodlen 3, tudalen 44, llinell 18, ar ôl 'cydnabyddiaeth', mewnosoder 'yn y cyswllt o dan sylw'.

Huw Lewis **48**

Schedule 4, page 48, line 5, leave out 'Section 408 of'.

Atodlen 4, tudalen 48, llinell 5, hepgorer 'adran 408 o Ddeddf' a mewnosoder 'Deddf'.

Huw Lewis **49**

Schedule 4, page 48, at the beginning of line 6, insert 'In section 408—'.

Atodlen 4, tudalen 48, ar ddechrau llinell 6, mewnosoder 'Yn adran 408—'.

Huw Lewis **50**

Schedule 4, page 48, after line 12, insert—

'(4) In Schedule 36A, in the table in paragraph 2, in the entry for sections 96, 101 and 102 of the Learning and Skills Act 2000—

(a) in the first column, omit "and 102";

(b) in the second column, after "qualifications" insert "(in England)".'.

Atodlen 4, tudalen 48, ar ôl llinell 12, mewnosoder—

'(4) Yn Atodlen 36A, yn y tabl ym mharagraff 2, yn y cofnod ar gyfer adrannau 96, 101 a 102 o Ddeddf Dysgu a Sgiliau 2000—

(a) yn y golofn gyntaf, hepgorer "and 102";

(b) yn yr ail golofn, ar ôl "qualifications" mewnosoder "(in England)".'.

Huw Lewis **51**

Schedule 4, page 48, line 29, leave out—

‘(2) In section 96(5)(b) for “has the same meaning as in section 30 of the Education Act 1997” substitute “has the meaning given to “qualification” in section 51 of the Qualifications Wales Act 2015”.

(3) In section 99—

(a) for subsection (2)(za) substitute—

“(za) the form of qualification to which the course of education or training in question leads is then approved by Qualifications Wales under Part 4 of the Qualifications Wales Act 2015,”;

(b) omit subsection (2ZA).’

and insert—

‘( ) In section 96—

(a) in subsection (2)—

(i) in the opening words, omit “or 99”;

(ii) in paragraph (b), after “maintained school” insert “in England”;

(b) for subsection (5) substitute—

“(5) In this section “a relevant qualification” means a qualification to which Part 7 of the Apprenticeships, Skills, Children and Learning Act 2009 applies.”

(c) in subsection (9), for “102 “local authority” has the same meaning as“ substitute “101 “local authority” has the same meaning as “local authority in England””.

( ) In the cross-heading immediately preceding section 96, at the end insert “: England”.

( ) In section 98 (the title of which becomes “Approved qualifications”), in subsection (1) omit the words from “in its” to the end.

( ) Omit section 99.

( ) In section 100—

(a) in the opening words of subsection (1), omit “in its application to England”;

(b) omit subsection (2).

( ) In section 101 (the title of which becomes “Enforcement”), in subsection (1) omit “in its application to England”.

( ) Omit section 102.’.

Atodlen 4, tudalen 48, llinell 29, hepgorer—

‘(2) Yn adran 96(5)(b) yn lle “has the same meaning as in section 30 of the Education Act 1997” rhodder “has the meaning given to “qualification” in section 51 of the Qualifications Wales Act 2015”.

(3) Yn adran 99—

(a) yn lle is-adran (2)(za) rhodder—

“(za) the form of qualification to which the course of education or training in question leads is then approved by Qualifications Wales under Part 4 of the Qualifications Wales Act 2015,”;

(b) hepgorer is-adran (2ZA).’

a mewnosoder—

‘( ) Yn adran 96—

(a) yn is-adran (2)—

(i) yn y geiriau agoriadol, hepgorer “or 99”;

(ii) ym mharagraff (b), ar ôl “maintained school” mewnosoder “in England”;

(b) yn lle is-adran (5) rhodder—

“(5) In this section “a relevant qualification” means a qualification to which Part 7 of the Apprenticeships, Skills, Children and Learning Act 2009 applies.”

(c) yn is-adran (9), yn lle “102 “local authority” has the same meaning as” rhodder “101 “local authority” has the same meaning as “local authority in England””.

( ) Yn y croesbennawd yn union cyn adran 96, ar y diwedd mewnosoder “: England”.

( ) Yn adran 98 (y daw ei henw’n “Approved qualifications”), yn is-adran (1) hepgorer y geiriau o “in its” i’r diwedd.

( ) Hepgorer adran 99.

( ) Yn adran 100—

(a) yng ngeiriau agoriadol is-adran (1), hepgorer “in its application to England”;

(b) hepgorer is-adran (2).

( ) Yn adran 101 (y daw ei henw’n “Enforcement”), yn is-adran (1) hepgorer “in its application to England”.

( ) Hepgorer adran 102.’.

Huw Lewis **52**

Schedule 4, page 49, after line 4, insert—

'National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238)

[ ] Omit paragraph 72 of Schedule 1 to the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005.'.

Huw Lewis **53**

Schedule 4, page 49, after line 4, insert—

'Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239)

[ ] Omit paragraphs 14, 15, 18(c), (d) and (e) and 30 of Schedule 1 to the Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005.'.

Atodlen 4, tudalen 49, ar ôl llinell 4, mewnosoder—

'Gorchymyn Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Awdurdod) 2005 (O.S. 2005/3239)

[ ] Hepgorer paragraffau 14, 15, 18(c), (ch) a (d) a 30 o Atodlen 1 i Orchymyn Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Awdurdod) 2005.'.

Huw Lewis **12**

Schedule 4, page 49, after line 4, insert—

'Government of Wales Act 2006 (c.32)

[ ] In section 148 of the Government of Wales Act 2006, after subsection (2)(l) insert—

"(la) Qualifications Wales,".'.

Atodlen 4, tudalen 49, ar ôl llinell 4, mewnosoder—

'Deddf Llywodraeth Cymru 2006 (p.32)

[ ] Yn adran 148 o Ddeddf Llywodraeth Cymru 2006, ar ôl is-adran (2)(l) mewnosoder—

"(la) Qualifications Wales,".'.

Atodlen 4, tudalen 49, ar ôl llinell 4, mewnosoder—

'Gorchymyn Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Cyngor) 2005 (O.S. 2005/3238)

[ ] Hepgorer paragraff 72 o Atodlen 1 i Orchymyn Cyngor Cenedlaethol Cymru dros Addysg a Hyfforddiant (Trosglwyddo Swyddogaethau i Gynulliad Cenedlaethol Cymru a Diddymu'r Cyngor) 2005.'.

Huw Lewis **54**

Schedule 4, page 49, line 6, leave out 'section' and insert 'sections 160(1) and (3) and'.

Atodlen 4, tudalen 49, llinell 6, hepgorer 'adran' a mewnosoder 'adrannau 160(1) a (3) a'.

Huw Lewis **55**

Schedule 4, page 49, line 8, leave out paragraph 6 and insert—

'(1) The Apprenticeships, Skills, Children and Learning Act 2009 is amended as follows.

(2) Omit paragraphs 45 and 48 of Schedule 6.

(3) Omit paragraphs 15, 16(3), 17 to 19 and 29 of Schedule 12.'.

Atodlen 4, tudalen 49, llinell 8, hepgorer paragraff 6 a mewnosoder—

'(1) Mae Deddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 wedi ei diwygio fel a ganlyn.

(2) Hepgorer paragraffau 45 ac 48 o Atodlen 6.

(3) Hepgorer paragraffau 15, 16(3), 17 i 19 a 29 o Atodlen 12.'.

Cynulliad Cenedlaethol Cymru
National Assembly for Wales

GRWPIO GWELLIANNAU
GROUPINGS OF AMENDMENTS

Bil Cymwysterau Cymru
Qualifications Wales Bill

Cyfnod 2 ar 30 Ebrill 2015
Stage 2 on 30 April 2015

Mae'r ddogfen hon yn nodi ym mha drefn y caiff y gwelliannau eu trafod ac unrhyw wybodaeth berthnasol yn ymwneud â'r gweithdrefnau sy'n berthnasol i bob grŵp. Nid yw'r rhestr hon yn disodli'r rhestr o welliannau wedi'u didoli, sy'n nodi'r gwelliannau yn y drefn y cânt eu gwaredu. Dylai'r rhestr hon gael ei darllen ar y cyd â'r rhestr o welliannau wedi'u didoli.

This document provides the order in which amendments will be debated and any relevant procedural information relevant to each group. This list does not replace the marshalled list, which sets out the amendments in the order in which they will be disposed of. This list should be read in conjunction with the marshalled list.

1 - Dynodi cymwysterau eraill / Designation of other qualifications

13, 15, 18, 26, 27A, 27, 28, 29, 36, 37, 38, 39, 40, 73, 43, 44, 45

2 - Amrywiol a thechnegol / Miscellaneous and technical

14, 17, 2, 4, 5, 6, 7, 9, 10, 68, 11, 12

3 - Rôl reoleiddiol Cymwysterau Cymru – cydnabod cyrff dyfarnu / Regulatory role of Qualifications Wales – recognition of awarding bodies

16, 19, 20, 21, 22, 23, 24, 25, 35, 8, 41, 42, 46, 47

4 - Dyletswydd Gweinidogion Cymru / Duty of Welsh Ministers

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5 - Prif nodau Cymwysterau Cymru / Principal aims of Qualifications Wales

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6 - Cymeradwyo cymwysterau / Approval of qualifications

63, 64, 65, 1, 70, 67, 69

7 - Cyllido cyrsiau sy'n arwain at gymwysterau / Funding of courses leading to qualifications

30, 31, 3, 48, 49, 50, 51, 52, 53, 54, 55

8 - Fersiwn Gymreig o gymwysterau / Welsh versions of qualifications

32, 33, 34

9 - Gweithgareddau masnachol a chodi ffioedd / Commercial activities and charging fees

71, 72, 75

10 - Dehongli cymhwyster / Interpretation of qualification

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11 - Is-ddeddfwriaeth / Subordinate legislation

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Mae cyfyngiadau ar y ddogfen hon